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California JOURNAL

Independent analysis of politics and government

Foster care

California's lost children

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About the only aspect of the health care debate any two people might agree on is that the system needs work. Some might say considerable work. That said, we'd like to weigh in with a few ideas of our own since we're actually in the position to do something about it. ■ First of all, the paramount focus of health care must be quality. It should be the only reason we're in this business—to help raise the quality of care not just for our members, but for all Americans. Which is why we're working to enable a level of health care never available under the old fee-for-service system. ■ Of course, we can't do this alone. So we're joining with academic medicine to make the system better. That's the reason we've pioneered and allocated $15 million to fund the Academic Medicine and Managed Care Forum. An ongoing gathering of our experts, and those from more than 30 of the nation's leading universities and teaching hospitals. Including Johns Hopkins, Yale, Emory, Baylor and Stanford. Together, we're seeking new ways to reach out and help make sure patients get the health care they need. ■ Already, we send timely reminders that encourage members to see their doctors for immunizations to prevent illness and to get screenings that help physicians diagnose disease early enough to do something about it. If at first they don't respond, we remind and remind again. Just one result is a significant reduction in late-stage breast cancer. ■ To better manage chronic diseases, we've created outreach efforts that have reduced asthma emergencies 60%, promoted eyesight-saving laser therapy for diabetics and improved the quality of life for people with congestive heart failure. ■ In case of rare illness, our National Medical Excellence Program® assigns a nurse case manager who coordinates access to some of the nation's leading specialists and hospitals, when appropriate care is not available locally. It's our policy and it should be everyone's. ■ Frankly, there's more work to be done. And with the stakes so high, we're obligating ourselves to do more than our share of it. Because no matter how complex, it has never been our policy to turn our back on a problem. Whether it's that of a patient, or of an entire health care system.

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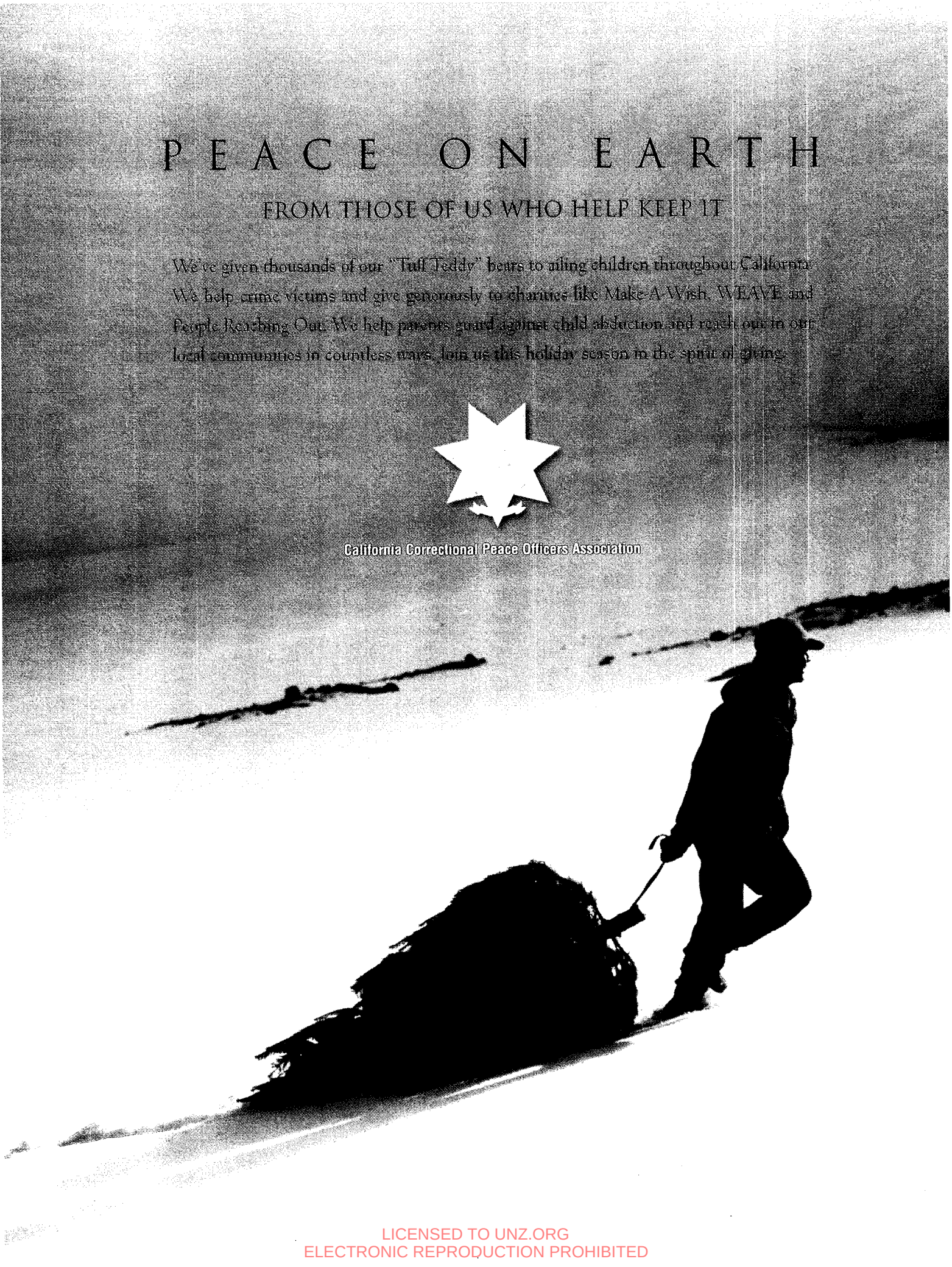
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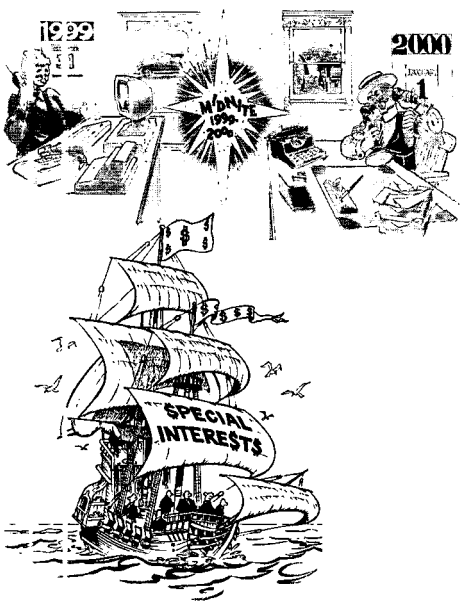
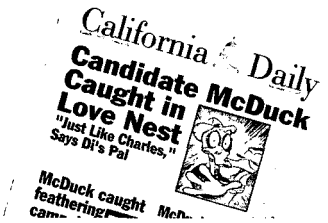
DECEMBER 1997
VOLUME XXVIII, NUMBER 12

8 **Foster Care**
California's foster care system is complicated, cumbersome, and expensive. As policy-makers struggle to find the right reform, the number of children in foster care continues to climb.
By Sigrid Bathen

16 **Sesquicentennial**
The three-year party to celebrate California's 150th birthday is about to begin. But many who live in the birthplace of the Gold Rush say they're being ignored by a celebration driven more by photo ops than by history.
By Cynthia Craft

28 **Political Journalism**
The nature of political coverage in California has a strong influence on how state government and politics are perceived. Many worry that coverage has become less about substance than about scandal.
By Claudia Buck





34 **The Year 2000 Bug**
Like many other institutions both public and private, the state of California has a problem: How to make its computer systems compatible with the 21st Century.
By Ken Wells

40 **Political Consultants**
Campaign finance reform has accelerated a trend among political professionals. Many are moving away from management of individual campaigns and toward the more lucrative world of independent expenditures.
By Noel Brinkerhoff

Up Front 6
Rostrum 22
The Bottom Line 27
Washington Perspective 48

Illustration by Meg McAneny

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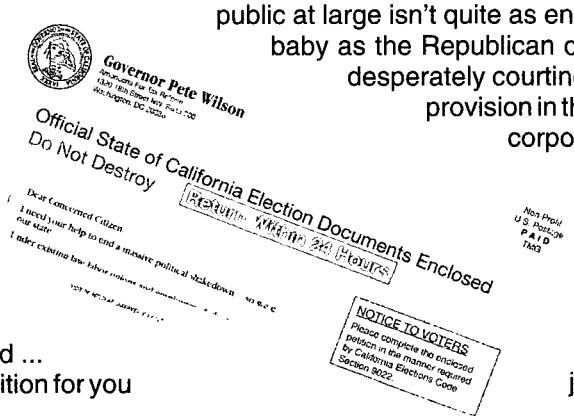
Upfront

umbrage

Brown for ... whatever. Is running for office a form of substance abuse, and can it be treated? Anyone with the answer to that question should probably get in touch with Jerry Brown. Last month, Brown became the first former California governor to run for a lesser job when he announced that he was a candidate for mayor of Oakland in 1998 (See "The Bottom Line," page 27). For Brown, running for office seems nearly compulsive. He ran successfully for Los Angeles Community College Board of Trustees in 1969, for secretary of state in 1970 and for governor in 1974 and 1978. He ran not-so-successfully for the U.S. Senate in 1982 and for president in 1976, 1980 and 1992. Brown's persistence kept 1998 from becoming a milestone of sorts. Since 1950, when father Pat Brown won his first term as attorney general, someone from the Brown family has been on the ballot somewhere in California in every non-presidential statewide election except 1986. Asked whether any other elected official had gone from an exalted office to a lesser one, Brown reminded *The Sacramento Bee* that former President John Quincy Adams served more than a decade in Congress after leaving the presidency. Okay, has anyone done it in the last 150 years?

Playpen politics. When does a bill that passed the Senate 39-zip become a leadership issue? When the "leaders" in question are Senate GOP Whip Ray Haynes (R-Riverside) and Senate President pro Tempore Bill Lockyer (D-Hayward). Haynes has been bugging Lockyer to give him his own staff of GOP bill analysts, just like the Assembly Reeps. Lockyer said "no," so Haynes put out the word that crucial information was left out of the Senate's analysis of a bill up for a vote in the last week of the session. The information — concerning a payment to lawyers who opposed the state's parental consent law in court — was certainly controversial, and if, as Lockyer claims, the omission was an "error," then it was certainly a well-placed, serendipitous error. But Lockyer also noted that the missing information was contained in a Republican "watchlist" put out by Haynes' office and available to the whole wide world on the World Wide Web. It was also in the Assembly floor analysis of the bill, where the bill somehow managed to squeak through by a 73-4 vote. No matter, said Haynes. The bill's passage was still tainted because he hadn't been able to flag the bill for his members' attention. Why not? Because, said Haynes, "the staffer who prepared this report fainted from overwork on the night this analysis was done," Hmmm. Another exquisitely-timed "coincidence." Of course, Haynes could have let it be known he wanted to be on the floor when the bill was taken up, and then personally informed his members of the issue. But that would have required some actual knowledge of the Senate's customs and procedures. It would also have required

Scare me a river. The envelope was so official. Governor Pete Wilson's name was emblazoned above the return address in large bold letters. The governor's official seal graced the upper left hand corner. "Official State of California Election Documents Enclosed" was printed across the entire width of the envelope in large letters. "Do Not Destroy ... Return Within 24 Hours" was printed in red ink just above the address window. "Not printed at taxpayers' expense" was printed below the address window in very very very small type. And inside? Notice about some pending legislation, or election, or official something-or-other? No. Inside this personal missile from the governor of California was a harangue of sorts about how labor was shaking down California and defrauding the public and committing high crimes and misdemeanors and torpedoing the effort to bring honest government to the people and ... and ... and ... any other ill you can think up. It was a petition for you to sign and return to the Americans for Tax Reform in support of a proposed initiative that would require unions to get written permission from each member before a portion of that member's dues could be spent for political purposes. Oh, and, yes, send money, too. These deceptive, pseudo-official mailings are offensive enough when they come from mortgage companies or magazine contests. But the fact that the state's chief executive would stoop to this level of trickery suggests a certain lack of confidence in the outcome. Maybe it's those early poll results suggesting the public at large isn't quite as enamored of Pete's new baby as the Republican conservatives he is so desperately courting. Let's see. Is there a provision in there that would require corporations to get permission from every stockholder before spending any money for political purposes? Must be, because the guv always touts equity. We just couldn't find it.



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Editor
A.G. Block

Managing Editor
Steve Scott

Associate Editors
Sigrid Bathen, Claudia Buck, Cynthia Craft

Assistant Editors
Noel Brinkerhoff, Kathleen Les, Melanie Smith

Contributing Editors
Sherry Bebitch Jeffe, Susan Rasky, Marc Sandalow

Editorial Assistant
Sean J. Campbell

Circulation
DeeAnn Little, Tim Foster

Art Director
Dagmar Thompson

Art Staff
Suzanne Raney

Advertising Director
Mary Foy
(916) 444-2840

Advertising Coordinator
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Founding Publisher
Thomas R. Hoeber

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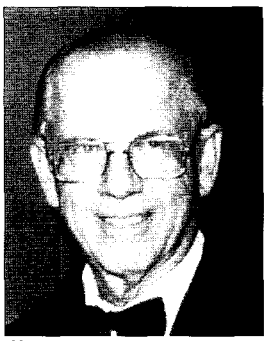
that Haynes care more about the bill than about getting his name in Dan Walters' column in *The Sacramento Bee*.

In Memoriam. Two prominent California elected officials died since this magazine last published, and both shared a quality not often found among most contemporary politicians — they were genuinely loved in their respective communities. The death of long-time Los Angeles County Supervisor Kenneth Hahn at 77 marked the final bow for the man known as the "king of pothole politics." Hahn was first elected to the board in 1952 — at age 32, the youngest man elected to the board up to that point — and retired in 1992. In an era where Los Angeles' most influential public figures seem capable of leaving only scars, Hahn leaves a legacy built not only in brick and mortar, but in the consciousness of his city. Hahn is credited with bringing emergency callboxes to L.A. freeways and with helping to bring the Dodgers west from Brooklyn. Having been slowed by a stroke in 1987, Hahn's death was not entirely a surprise, but that of Santa Barbara Representative Walter Capps was. Capps, the 63-year-old former UCSB professor, collapsed from a heart attack at Dulles International Airport in late October. The Santa Barbara Democrat was best known in his community for having taught a nationally-recognized course on the Vietnam War. He won his seat only last year, defeating incumbent Republican Andrea Seastrand in one of the most expensive and closely-watched races of the year. The volatility of Capps' moderate-to-conservative district guarantees a tough contest in the special election to replace him. One indication: Republican House Speaker Newt Gingrich was reported to have become personally involved in the successful effort to lure area Assemblyman Brooks Firestone away his campaign for lieutenant governor and into the race. Other Republicans who've announced in the race include Assemblyman Tom Bordonaro and former Santa Barbara Supervisor Mike Stoker. Among Democrats, the names most often mentioned are those of state Senator Jack O'Connell and Capps' widow, Lois. Oh, yes, there was one other name that surfaced: Michael Huffington, the millionaire former congressman who couldn't even hold his own district when he ran for the U.S. Senate. That "trial balloon" was swiftly popped.


Hahn

Capps

Via con Dios. *California Journal* lost a friend last month with the passing of Gordon Schaber, former dean of McGeorge School of Law in Sacramento. This space is far too small to recount even a fraction of the accomplishments of a man described by *The Sacramento Bee* as "a revered behind-the-scenes political operative, philanthropist and civic leader." Suffice to say that Schaber was one of the *Journal's* first subscribers and through the years one of its constant champions, even becoming a stockholder when the magazine coverted from non-profit to for-profit in the 1980s. Schaber, 69, died on November 6th, only days after making the decision to end thrice-weekly kidney dialysis treatments. A memorial service for him was held November 22nd at Sacramento's Memorial Auditorium, and one of those scheduled to speak was U.S. Supreme Court Justice Anthony Kennedy, a former law professor at McGeorge. Schaber was dean at McGeorge from 1957 until his retirement in 1992 and is credited with building the school into one of the finest institutions in the West. Along the way, he built a vast network of relationships among the politically well-connected and, although a Democrat, enjoyed the friendship and respect of those on all sides of the political spectrum. Those relationships and McGeorge's reputation form the bulwark of Schaber's legacy.

"Ignorance never settles a question."
-- Benjamin Disraeli

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California's

As the number of children in foster care escalates to more than 100,000 in California — and their problems become more severe — policy-makers struggle with how to reform a hugely expensive, complex system where thousands of children often languish for years, bouncing from home to home and, too often, ending up on the streets or in jail.

by Sigrid Bathen

Built in 1965 on a tree-studded chunk of semi-rural acreage wedged between a major freeway and two busy streets, the Sacramento Children's Receiving Home, like many other children's shelters in California, provides temporary shelter to abused and neglected children with increasingly horrific stories to tell. Unlike the chaotic, troubled lives of the children here, the setting on this sunny autumn morning is almost bucolic. And, unlike other children's homes throughout the state, this one, which houses 70 children for an average of 30 days, has plenty of room to grow — if the money were available to build.

For the casual observer, it's almost possible to forget, for the moment, what these kids have been through, that most of them have been brought here in police cars or by children's protective services workers, removed from filthy, abusive, drug-using homes and families where the term "dysfunctional" seems somehow almost quaint. Many bear the scars of injuries inflicted by their parents or caretakers — bruises, cigarette burns, hair pulled out in clumps, broken bones, bloody eyes, elbows arthritic from being hit so often. Not to mention malnutrition, disease, what children's health care workers call "lower general health."

Despite the huge costs of foster care — which can easily run $6,000 or $7,000 per month, sometimes more, for "difficult to place" children in group homes and treatment centers — inadequate funding is frequently cited as the reason why the state's foster care system is such a mess. Funding varies by county — a nightmarish fiscal brew of federal, state and local funds — and child welfare workers in financially strapped county governments must deal with crushing caseloads, under huge pressure to make the difficult, literally life-and-death decisions of whether to remove a child from the home, when to follow up on earlier reports of possible abuse, when to allow an abused or neglected child to return to the family. The system periodically reaches the public consciousness, usually when a child dies, failed by a system ostensibly designed to protect children.

"To be honest," Los Angeles Superior Court Judge Michael Nash, presiding judge of that county's massive juvenile court system, told an October legislative hearing on foster care and juvenile crime, "it's a wonder that anyone gets any attention from any system."

As the need for foster care grows exponentially, limited government and private-sector resources are stretched to the breaking point, and beyond. Small family foster homes — often the preferred placement, particularly for young children, because such homes provide a more home-like setting — have been dwindling in number as reimbursement rates have lagged far below

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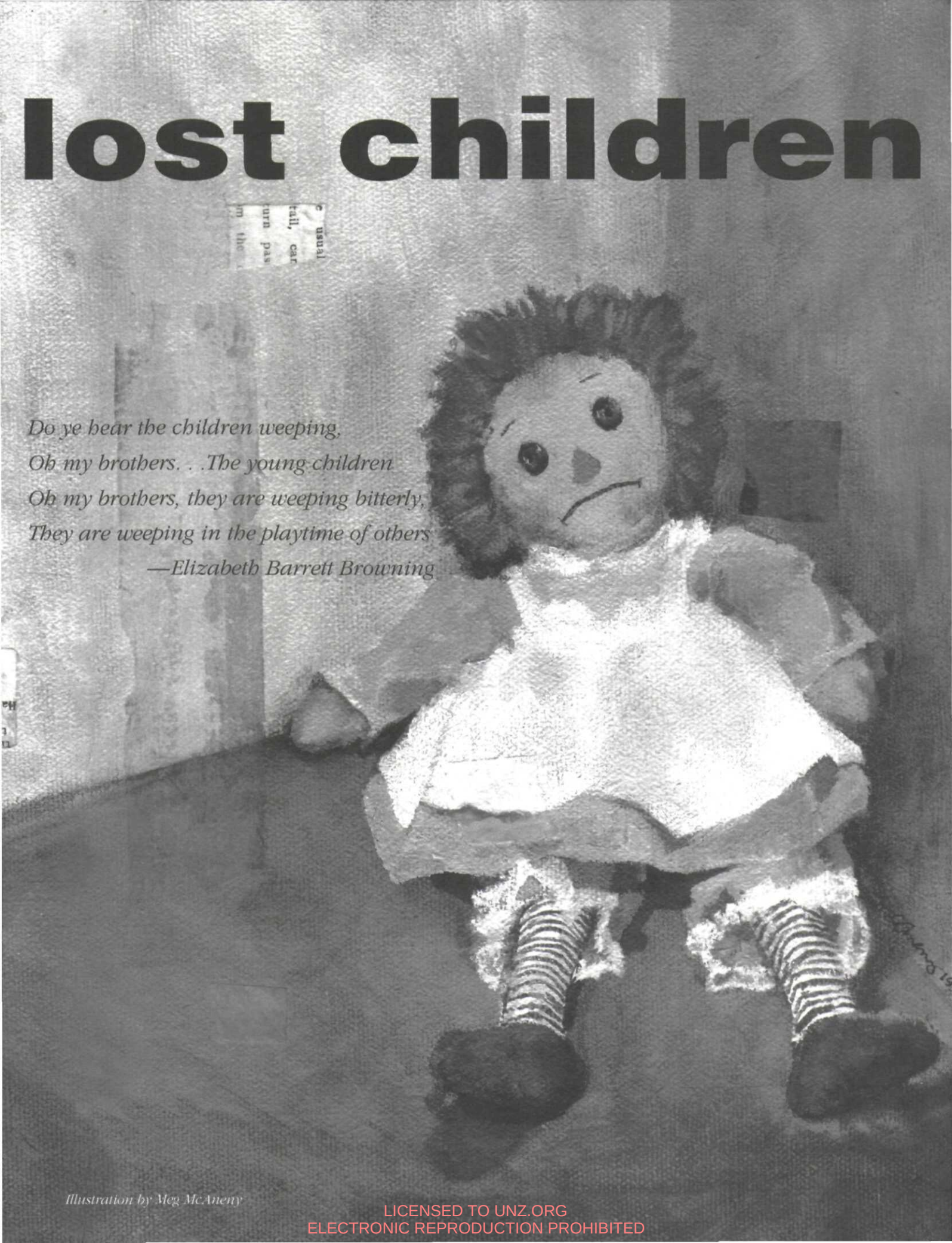
lost children



Do ye hear the children weeping,
Oh my brothers. . .The young children
Oh my brothers, they are weeping bitterly,
They are weeping in the playtime of others
—Elizabeth Barrett Browning

Illustration by Meg McAneny

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Photos: Courtesy of the Sacramento Children's Home. Above, children on produce truck, 1927.

Circa 1930.

those paid to group homes. The number of foster children in the care of relatives, many of them grandparents, has skyrocketed in recent years to nearly half the total number of children in foster care, spurring a spate of bipartisan "kinship" policies and legislation to provide support services to "relative caregivers," as well as to ease the path to adoption for children whose immediate families are beyond repair.

It can cost more than five or even 10 times as much to house children in group homes, which are designed for kids with more serious problems — often older kids who have "failed" in small family foster placements — and offer specialized professional services provided by paid staff. Much of the push toward better support for relatives and small family foster homes — as well as toward family reunification that actually works — is economically driven. There are enormous governmental costs associated with child abuse and neglect, foster care and its frequent corollary, juvenile and, later, adult crime.

Critics of the group home industry — including the Los Angeles County Grand Jury, which recently issued a scathing report on group homes in Los Angeles — say too much money is dumped into too many mediocre or substandard facilities, with limited government oversight or follow-up on the thousands of kids in such homes. Although representatives of group homes say such reports — and there have been many, by governmental and private agencies, over the years — single out the "bad apples" common to every industry, state officials don't dispute the grand jury's findings. "We're sure they found what they found," said Patric Ashby, chief of foster care for the state Department of Social Services. "There are also many group homes around the state that are doing an excellent job."

The escalating numbers don't account for the thousands of kids who are homeless and on the streets in California, often committing crimes to survive. In the reams of data on foster care and juvenile crime presented at the October special hearing of the Assembly Human Services and Public Safety committees, the Los Angeles Youth Network, which has served runaway and homeless youth since 1986, cited estimates that more than 12,000 such youth "currently survive on the streets of Los Angeles County," panhandling for cash, "squatting" in abandoned buildings and freeway

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underpasses, using drugs and alcohol and selling sex to survive. Many congregate in the Hollywood area, and many are "graduates" of the foster care system, often having been in multiple — and clearly unsuccessful — placements, the ultimate victims of what child welfare experts call "foster care drift."

Citing statistics that abused children are 67 times more likely than children who are not abused to "run afoul of the law," Assemblyman Robert Hertzberg (D-Sherman Oaks), chairman of the Assembly Public Safety Committee, says "front-end" juvenile crime prevention efforts must begin much earlier. "Children who have been abused or suffered severe neglect need to be assisted with appropriate treatment at whatever point they enter the juvenile court system," said Hertzberg. "The failure to do so can result in an ongoing cycle of abuse passed on to the future children of these children."

Gardening, circa 1910.

Dawn Kusumoto, legal counsel to the Public Safety Committee, who has seen the system from the inside as a lawyer representing children in dependency court hearings in Los Angeles, says public policy must change its focus to early and intensive family preservation whenever possible. This would sharply reduce caseloads for overburdened social workers so they can properly monitor families in crisis, as well as provide community programs for kids on the street, and support services to kids who reach the magical age of 18 and are cut loose from foster care to fend for themselves. "The state has never properly intervened," she says, "and there has been inadequate monitoring. It's a lot cheaper to do family preservation than to put all these kids in group homes. But if you're going to leave a child in the home, you have to be sure that the worker has a small caseload so they can be out there doing regular site visits."

And for those families beyond repair, decisions about the care of their children must be made quickly and decisively. "The age of the kids [in foster care] has greatly lowered, particularly in the late '80s and early '90s with cocaine and crack," says Assemblywoman Dion Aroner (D-Berkeley), chairwoman of the Assembly Human Services Committee. "We were taking in thousands of babies and we didn't have a clue as to what to do with them." More flexible funding mechanisms for using federal dollars have allowed states and counties to focus more directly on dysfunctional families, she said. "On the other hand," she adds, "when the family is dysfunctional, you can't wait for this baby's lifetime."

Understanding the child dependency and foster care "system," which critics say is actually a collection of systems (see chart, page 14) often at odds with each other, is an exercise in frustration. Most children in foster care are there because of neglect or abuse, although some are orphaned or their parents incapacitated. When a report of child abuse or neglect is made — through social services "hot lines," by legally mandated reporters such as teachers or health care professionals, by neighbors, even other family members — the system grinds into action, involving a veritable army of social workers, police officers, health and child care workers, lawyers and judges in a process that can drag on, in various incarnations, for months, years even. There may be multiple resolutions — efforts at "family preservation" and reunification may fail, sometimes repeatedly, and the child may be bounced among foster placements, enduring repeated court appearances in a badly clogged juvenile court system.

Because that system operates under the cloak of confidentiality, much of what happens occurs behind closed doors. Getting information — clear numbers, housing reimbursement amounts, the status of a child in the system — presents a daunting task. John Hubner and Jill Wolfson, *San Jose Mercury* reporters (Hubner is a former probation officer) who wrote the recently published a landmark study of foster care, "Somebody Else's Children" — after convincing a Superior Court judge to allow them unusual access to confidential cases and hearings — describe the system as "a complex web of individuals bound together by esoteric laws and mind-boggling funding structures ... wrapped deep in a cocoon of confidentiality."

Alan Watahara, president of the California Partnership for Children and the Children's Lobby, a longtime children's advocacy group that led efforts to reform foster care when a spate of horror stories about abuse and neglect of foster children in group homes hit the media in the 1970s, says the system that resulted is "piecemeal," disjointed and inconsistent. "The reason you have so many critics of the foster care system is that it's not really a system," he says. "It's really a connection of separate functions and entities that operate in a world of their own. Each has an incredible number of kids and bureaucracies, and the public only sees the horror stories of a kid who has died or been re-abused. Taken out of context, it looks like the foster care system has failed, and that's true to an extent. But it really is an indictment of the larger system — the whole process of identifying and treating kids."

"The problems that the foster care system is experiencing today are not unlike the problems of 10 or 15 years ago," he adds. "The recommendations we made eight years ago are the same ones we're making today. The difference is that in 1987 we had 46,000 children in foster care, now it's 108,000. That is an astronomical increase." And the differences between the kids of 1987 and 1997 — and their families — are dramatic. "The kids are much more damaged," says Watahara. "They are younger, and they've experienced more abuse, more neglect. The opportunity to return these kids [to their families] is more difficult. The families that they're coming from are much more dysfunctional. And the system can only process so many kids at one time. They can only take in the most egregious cases."

It is at crisis facilities like the Sacramento receiving home where the overwhelming needs of this ragtag army of battered and neglected children are most apparent, emerging from the cloak of confidentiality as living reminders of the horrors they have experienced and the failures of the government programs designed to protect them. On this

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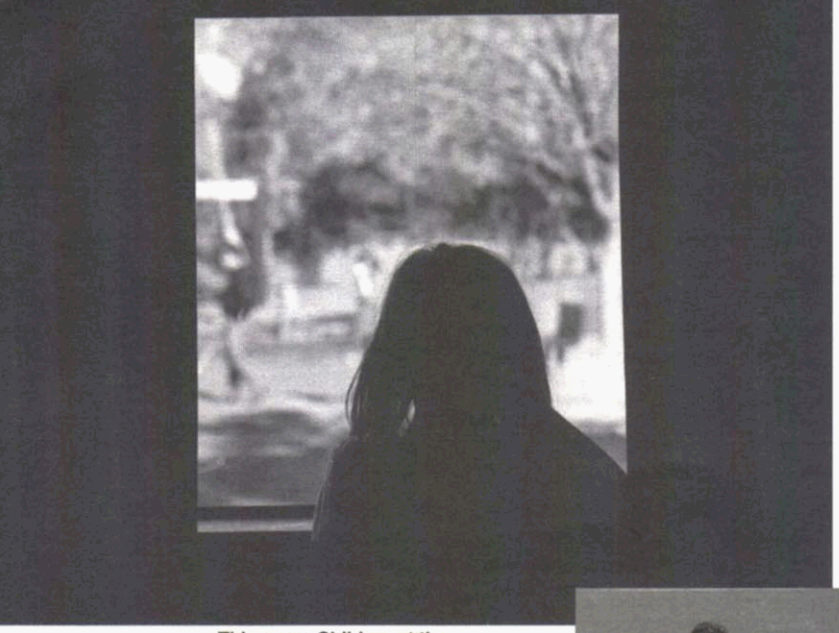


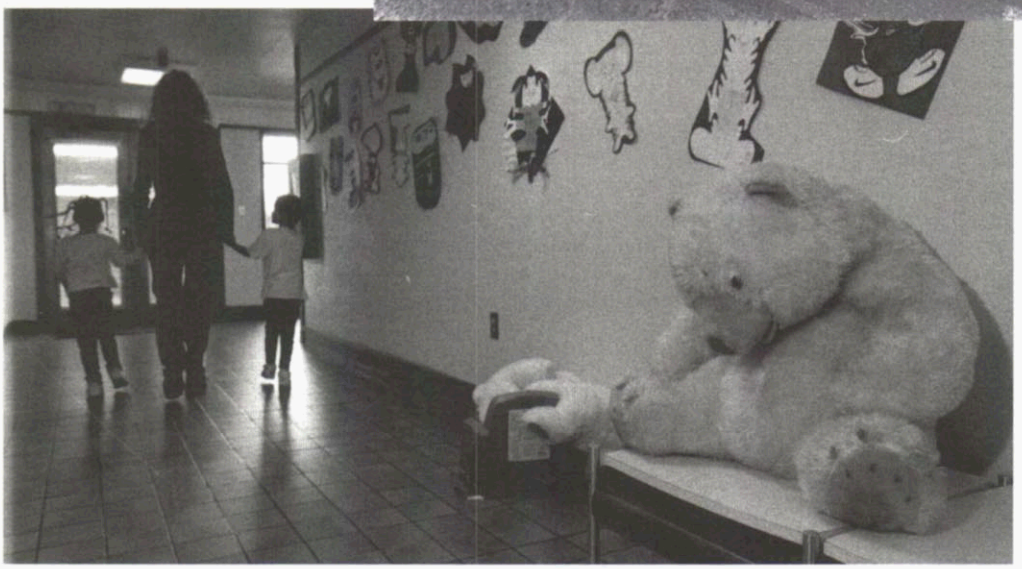
This page: Children at the Sacramento Receiving Home.

beautiful fall morning, counselors, social workers and child care staff monitor children at play on well-used play equipment scattered around the huge oak trees that dot the six-acre campus, as teachers work with children in cramped, though well-staffed classrooms inside. Despite the constant turnover among children, teachers and other staff stay here for years, decades even, attracted by the small pupil-teacher ratio and the opportunity to make a difference in the lives of children largely deprived of regular schooling, medical care or the rudiments of a stable home life.

They will stay in the receiving home until a more permanent foster placement can be arranged — in a small family foster home or group home, depending on the age of the child, the severity of his or her problems, and, often paramount, available space — or returned to the family, ideally with intensive oversight by child welfare workers. Placement decisions are among the most difficult for social workers and judges because vacancies are limited, and "placement failure" so common. A foster family may find they can't deal with the severity of a foster child's problems or a child may not "fit in" with other children at a group home, and another placement must be found. Or, if the child has been sent home and is "re-abused," it's back to the receiving home and a whole new round of bureaucratic decision-making, presumably on the child's behalf.

Despite their years of experience, employees in these places are still shocked when the kids want to go back to the only homes they've known, even when neglect and abuse have been severe. "They have probably been living with parents who have no rules," says David Ballard, executive director of the Sacramento Receiving Home, who holds a master's degree in social work and has worked in the system in Los Angeles and Sacramento for more than two decades. "They come from a life of physical and emotional abuse, but they'll say, 'He's my dad,' and want to go home." Although family reunification or permanent foster placement are the goal for these kids, many return, sometimes repeatedly. Some of the older employees say they're beginning to see the children of children who were there years before, the desperate cycle repeating itself for yet another generation.

At all of these children's homes — whether they be 70-bed residential group facilities with teams of social workers, counselors and teachers, or small private homes with a couple of kids — it is the very small children who most challenge human comprehension of the realities of child abuse. In its voluminous annual "Children's Budget," the prestigious Children's Advocacy Institute reported that, at 75 per 1,000 children, "California has the highest rate of reported abuse among the 10



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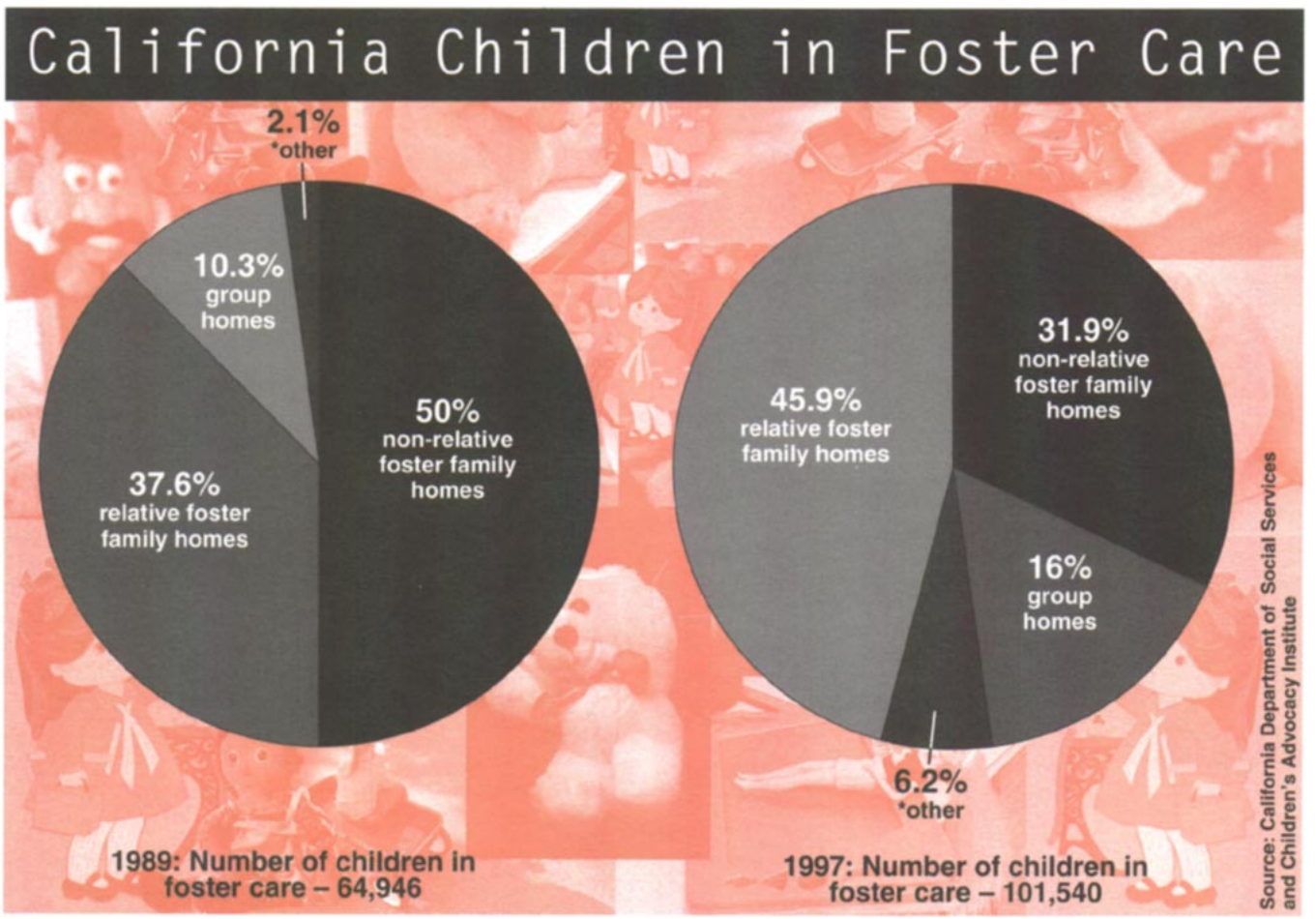
largest states — almost 50 percent above New York, its nearest competitor." Each year, the institute noted, the number of child abuse reports in California increases — up to nearly 700,000 in 1994, a 394 percent increase over the previous 15 years.

Although the vast majority of children in foster care are there as a result of severe neglect or because parents are unable to care for themselves or their children, many are victims of physical and sexual abuse. According to a January 1996 report by the Legislative Analyst's Office on child abuse and neglect in California, half of the children in foster care in 1994-95 "had been removed from their homes due to general or severe neglect." And, the analyst noted, "while physical and sexual abuse comprise nearly half of the types of child abuse/neglect reports received," sexual and physical abuse was involved in less than one-fourth of the children placed in foster care. Anecdotally and statistically, child welfare experts believe that number is increasing, and they point out that the line between "severe neglect" and abuse is sometimes a thin one, and the victims are often the very young.

At the Sacramento receiving home, where children aged two to 17 are housed, the little ones stay for several days or even months (the average stay is 30 days) in the "acorn" dorm (older kids are "willows" and "oaks"). They play on pint-sized play equipment and sit at little tables and sleep in little beds donated by a local business, wear ordinary children's clothing that is often donated, stacked neatly in piles like the laundry of a large family of perpetually small children. They smile at visitors and hold up fingers to indicate their ages, the 11 of them holding hands to walk down the hall to lunch. One tiny dark-haired girl with a winning smile who looks to be about two or three wants visitors to hold her. Her mom has a long history of mental illness, her father is long gone, and other relatives couldn't take her when her mother was hospitalized and she and her sister were removed from a filthy apartment where there was no food.

Although the parents' mental health problems are a major factor, the reason most often cited for the huge jump in the foster care population is wildly increasing drug use by parents. In Sacramento County, after media coverage of the deaths of several children whom protective services workers did not remove from their homes despite reports of abuse or drug use by the parents, county authorities aggressively went after parents with a history of drug use and removed hundreds of children from their homes. "We have been inundated with kids coming from those homes," says Ballard. "At least, while they're here, they aren't getting hurt and they certainly aren't going to die." Sexual abuse of children also is increasing.

Children's shelters like the receiving home generally don't house infants, and the increased attention paid by law enforcement and CPS workers to drug-using families is sending more infants diagnosed as drug-addicted at birth to



*Other includes emergency shelters, receiving homes, medical facilities and miscellaneous placements.
Note: Numbers based on cases on the last day of the month. Does not include children from the juvenile justice system in foster care as a condition of probation, most of whom are placed in group homes. In June of 1989, that number was 5,420, with 87% in group homes. In June of 1997, that number was 5,519, of whom 86% were in group homes.

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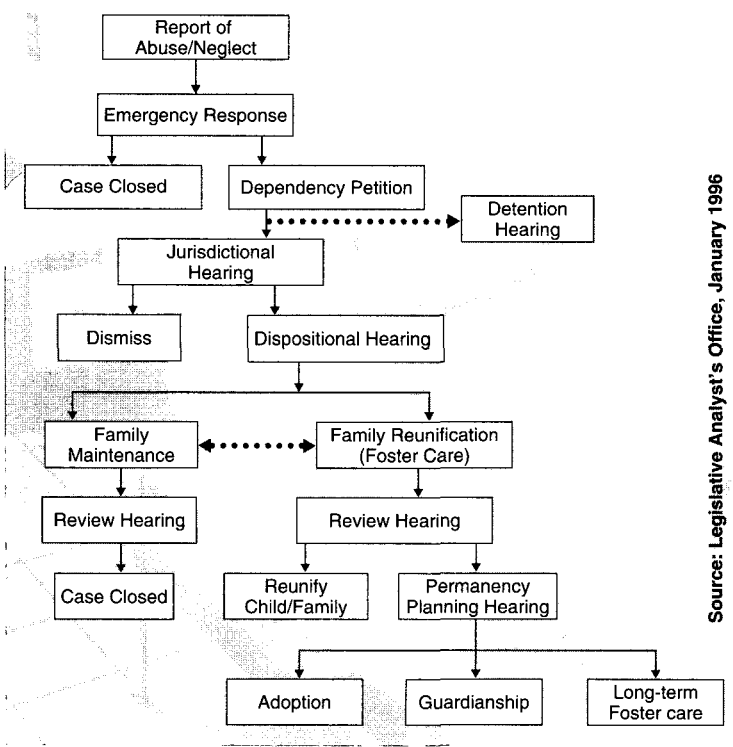
foster care. Again, the preferred placement is in a small family foster home, but the difficulty of caring for these terribly damaged babies — who may scream constantly and are often loathe to be touched — severely limits the availability of small foster homes. As a result, babies are being placed in group-home settings which, because of their more impersonal nature and semi-institutional atmosphere, child welfare experts say are not usually the ideal placement for small children.

The lack of foster homes for the very young has sparked a scramble to start small family-like homes for infants and small children. An example, across town from the receiving home in Sacramento is a new facility, the Sacramento Crisis Nursery, operated by the Sacramento Children's Home, a century-old former "protestant orphanage," now a children's residential treatment center for severely disturbed children aged six to 17. Part of an increasing trend among foster agencies to offer a range of services for children of different ages and needs, the Children's Home operates numerous satellite facilities, generally in large retrofitted former family homes in residential neighborhoods.

The brainchild of director Sue Bonk, former assistant director of the Sacramento Child Abuse Prevention Council, the nursery is licensed for six infants and children to age six, with plans to expand to 10 children — a fraction of the need. Bonk struggled for several years to find funding for the nursery and eventually put together an imaginative pastiche of private donations and public funding, encouraging local businesses and service groups to "adopt" a room in the house, or the backyard, and renovate it. On this day in early October, the nursery houses the children of three families:

A Child's Path Through the System



Source: Legislative Analyst's Office, January 1996

three children of a homeless mother who is believed to be developmentally disabled; two children of a woman facing criminal charges of receiving stolen property; and the child of a homeless woman who is allowed by the owner to sleep in the back of a store at night, but must roam the streets during the day.

The dearth of small family foster homes in California is partly attributed by child welfare experts to the low fees paid to such families and to the increasing problems faced by children in foster care, at younger and younger ages. "We assist foster families with less money than it takes to house a dog at the kennel," says Assemblyman Jan Goldsmith (R-Poway), who introduced a bill last session that would have provided a 25 percent increase in the payments to small foster families. It would have been the first increase since 1990, when the reimbursement was raised by $23, to $345 per month for infants and $484 for adolescents. The Legislature approved only a 6 percent increase, and the bill was signed by Governor Pete Wilson. "I see absolutely no reason to put a baby in a group home," says Goldsmith, "but that is done in some counties because they don't have enough foster families."

In California, much of recent legislative attention has focused on the increasing incidence of "relative care," mainly grandparents often stretched to their economic, emotional and physical limits in caring for their children's children. Goldsmith also carried a bill to allow county child placement agencies access to the state Department of Justice's Child Abuse Central Index to run background checks of foster parents who are relatives. Other recently approved legislation includes Aroner's "kinship adoption" package to expedite the permanent placement of foster children living with relatives by providing alternatives to traditional adoption and modifying the adversarial nature of juvenile court proceedings — which require a finding in such cases that the biological parents are unfit and severing all ties with them. Another kinship bill by Assemblyman Kevin Shelley (D-San Francisco) provides grants to counties to expand support services for relative caregivers, who often receive no training or help beyond a monthly stipend. All were signed by the governor.

The most frequently heard word among children's advocates and legislators concerned about foster care is "wraparound," which refers to a systematic, community-based set of services to families in crisis. A bill, signed by Wilson, by Senator Hilda Solis (D-El Monte) will expand a pilot project in Santa Clara County, to provide intensive support services — from mental health care to drug counseling — for children and families on the verge of going into expensive group homes or other forms of foster care.

Some critics predict even greater incidence of abuse and neglect — and even more demands on the bulging foster care system — as welfare reform takes hold in California. "As these cuts are occurring, more people will be falling through the cracks," says Robert Fellmeth, a University of San Diego Law School professor who heads the Center for Public Interest Law and the Children's Advocacy Institute. "We expect to see more neglect cases, especially in the zero-five population who don't have a teacher around to report [possible abuse]. I have no problem with removing a kid from the home of drug-addicted parents. I am opposed to removing children from parents who care but have fallen on hard times. I think that is starting to happen and will

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increase dramatically over the next five years."

If there is any unanimity among child protection experts, it is that community-based services to families in crisis must be improved if families are to be kept together — with special emphasis on alcoholic and drug-addicted parents. At the USD law school clinic where students work on actual cases of children removed from the home because of abuse and neglect, Fellmeth estimates that three-fourths of the cases in the clinic are drug- and alcohol-related. He especially recalls one recent case involving a family of five young children of an alcoholic, drug-addicted mother who hangs out in bars when she isn't in bed asleep.

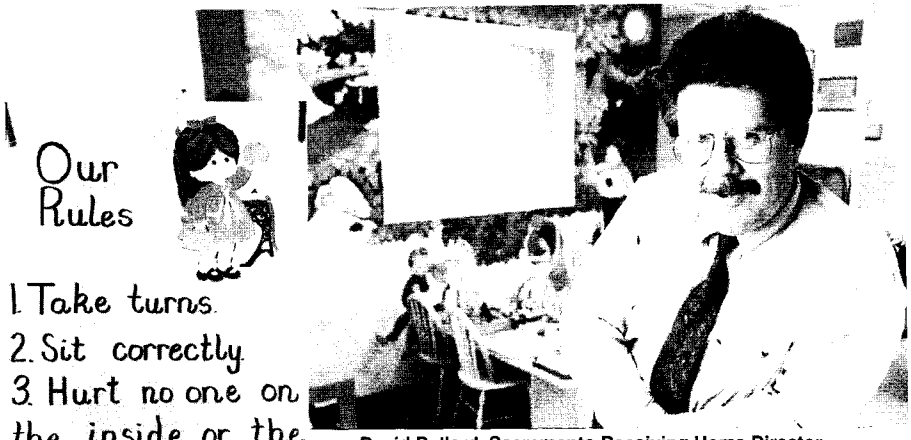
"The nine-year-old girl had assumed the role of the mother," Fellmeth recalls. "She has not been going to school for the last year because she has been taking care of her brothers and sisters [aged two to six]. And she was doing a very good job. She stopped school, she worked all day, she cleaned the house. She had *become* the mommy. She dressed them every morning, made sure the five- and six-year-old got to school, then went out and tried to find food wherever she could." Teachers reported the family to child welfare workers.

And then, the "system" may systematically destroy what remains of the family.

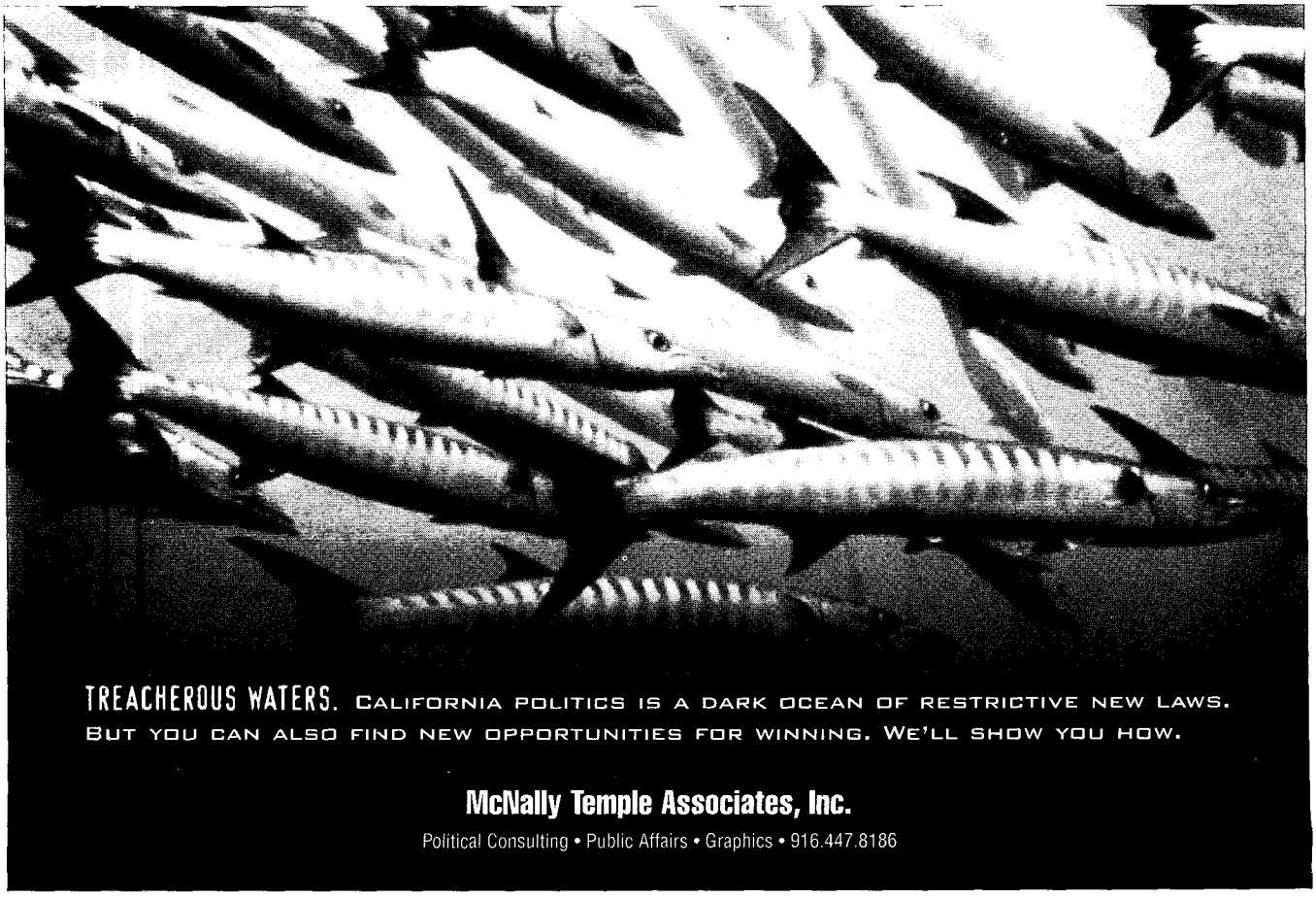
"The siblings will be split up," says Fellmeth, "and the younger ones may have a chance at adoption. The older ones will be moved around a lot ..."

Despite all the best efforts of the army of foster parents, child welfare workers, lawyers, police, probation officers and judges who comprise the child dependency and foster care system — and the growing political pressure to do something about a system so clearly in crisis, with emphasis on early intervention that is swift and decisive — families like this one will continue to fall through the gaping cracks in the system, and children will continue to "drift" through foster care like so many lost souls looking for a permanent home, any home. It's a vicious, circuitous cycle, one which lawmakers have confronted with considerable frustration over the years, and which is gaining increased recognition as the source of all variety of expensive and troubling social ills, from illiteracy to crime.

"I have seen the finest, and I have seen the worst," says Aroner of her legislative journey through the foster care system. "I have seen significant improvements in what we do that are not often recognized, because the youngsters are so much more troubled. ...And there are no revolutions in the state Legislature — it's an incremental battle."



David Ballard, Sacramento Receiving Home Director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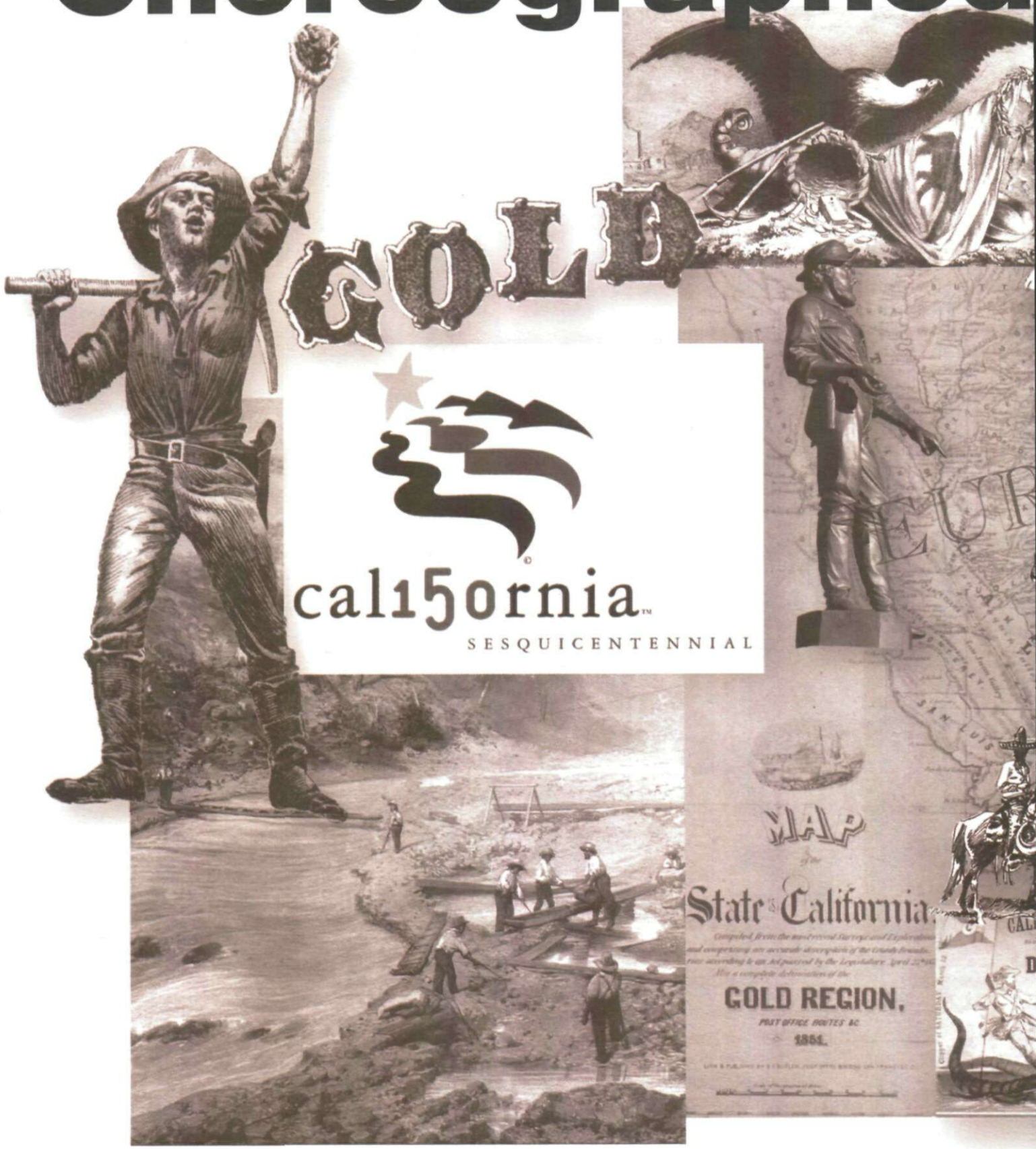

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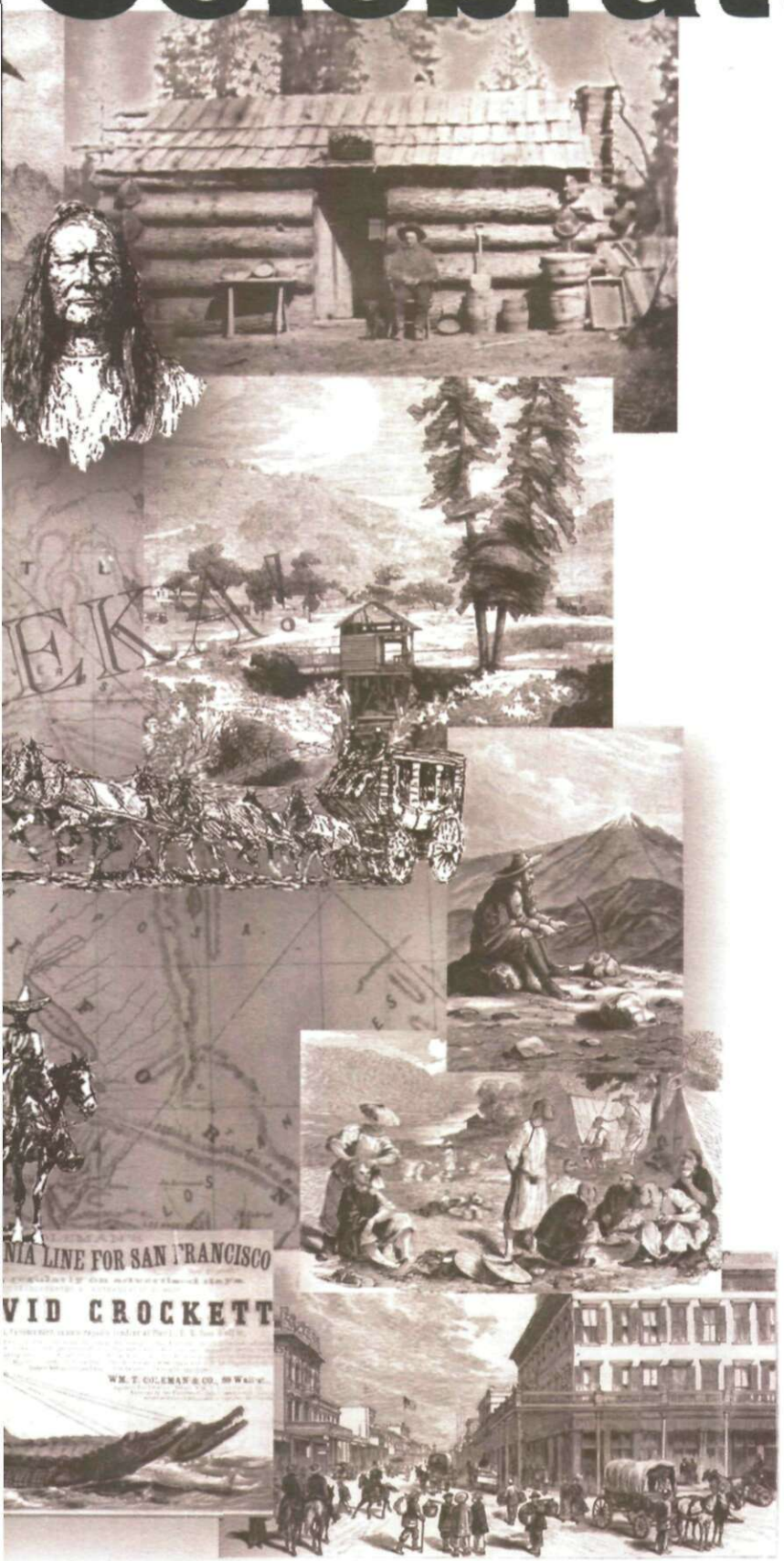
Celebration



California's sesquicentennial celebration begins next month with events marking the 150th anniversary of the discovery of gold. But critics say the state, and Governor Pete Wilson, are less concerned with telling California's story than they are with putting on a good show.

by Cynthia Craft

It's almost as if the fabled Queen Calafia herself straddled the mighty Sierras and picked up her rolling skirts of sun-toasted foothills to shake them free of the nuggets that brought nothing but unbridled *fiebre del oro* to her beloved land. "Here, take it all!" the mythical Amazonian might have said as she sent her riches tumbling out to sea, with gold-fever-struck '49ers frantic in their pursuit.

Today, the wealth of California has indisputably settled along the coast, not the Mother Lode where, according to centuries-old Spanish legend, Calafia guarded her shimmering piles of gold and where the precious metal was unearthed 150 years ago. So it

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should come as no surprise that it is the coast — and not the still-humble countryside where gold was actually discovered and harvested — which has been the nexus of activity as California's sesquicentennial approaches. That's where the money, the media and the limelight will be.

And that's where Pete Wilson will be, too. Wilson will be out of office during most of the celebration. But the governor and his team of organizers have made it possible for "former" Governor Wilson to be right in the middle of the high-profile events, keeping him in the public eye during the critical months he is expected to be raising funds for a presidential campaign.

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Ready or not, California is about to embark on a three-year extravaganza of hoopla, culminating in 2000 with its 150th anniversary as the nation's 31st state. Already, while most people are still asking "Sesqui-*what?*," 500 events big and small, spanning three years, have been signed up by Wilson's team as official activities of the Sesquicentennial. A good number of those are in the Gold Country itself, which will stage a kickoff on Gold Discovery Day on January 24, 1998. But as folks in the Mother Lode scramble for enough money to stage a respectable opening ceremony, one event, and one only, had the bulk of the governor's fund-raising muscle behind it just weeks before the ballyhooed launch: The Gold Rush Race.

Dreamed up by Wilson's consultants and planned for July 3, 1999, the race is envisioned as a tallship event to beat all others, even the visually memorable 1976 gathering in New York Harbor for the nation's Bicentennial. Ten to 15 of the world's greatest tallships, the cutters, would lead a fleet of international followers into San Francisco Bay before heading south along the coast for a 500-mile race. Finally, the nautical parade would end up in San Diego Bay, Wilson's hometown, for a weekend of headlines.

"There's a magic to the tallships, with a quality of pageantry that's accessible to everyone. It's very compatible with the governor's executive order ... it is the epitome of diversity," said State Librarian Kevin Starr, the noted historian and author who is heading the governor's California Sesquicentennial Commission. "This is the big drive that we have right now for corporate sponsorship."

The ultimate fund-raising goal, says commission deputy director Oscar Wright, is $7.5 million to $10 million. Just $2 million is needed for overhead to make the tallship event happen. Then there are added expenses for hosting visiting cadets and entertaining them at reception dinners and showplaces such as Disneyland. Because winning commitments from the tallships means competing with other ports, Starr said, "We've sent people abroad to try to pull this together." An entourage to Aberdeen, Scotland, ran across a ship's captain actually holding a letter from Wilson in his hand.

A Wilson spokesman confirmed that "the governor has been pretty much at the forefront of this, writing letters to 30 to 40 ship captains. He has personally been on the phone with the U.S. Coast Guard commandant to secure a pledge for the tallship Eagle."

Starr himself secured a $115,000 financial committment, most of which is already spent. It's being used to pay travel expenses for a commission staff member and a foundation member to Newport, Rhode Island, to attend a safety training forum for sailing captains. It is also paying the fares and accommodations for 20 to 30 tallship captains hailing from all parts of the world, said Nautical Heritage Society President Steve Christman, whose organization is helping with the Gold Rush Race. "We call that grub stake money," Christman said, using the '49ers-era expression for money advanced to a prospector in return for a share of his findings.

Who supplied these funds on faith that the "grub stake" would pay off as a worthwhile investment? Though Starr wouldn't reveal the source, the mystery benefactor was the San Francisco-based Catellus Development Corporation, builder of that city's massive Mission Bay residential project and landowner of vast former railroad holdings throughout California. Catellus CEO Nelson C. Rising, a politically savvy developer from Southern California who is credited with turning his firm around, said he was taken with the plans for the Gold Rush Race. "It seems to me when you look at the drama and the glamour of the tallships, it is one of the most visually arresting events," said Rising. Catellus regularly does business with the state of California, but Rising said there was nothing subtle in why he advanced the money; he saw a direct benefit. "We happen to own properties in San Francisco, Monterey, Los Angeles and San Diego — all places the tallships would go. So it seemed to us it would be very good for marketing our properties."

The courting doesn't stop there. Gold Rush Race sponsorship levels will be dangled before willing corporate donors. These still are being hashed out, but, according to Wright, a big-hearted and deep-pocketed corporation might be able to buy rights to a "gold" sponsorship for the whole $2 million, or a "silver" sponsorship for $650,000, or a bronze sponsorship for $250,000.

Mention these kinds of figures to the patrons at the Hangtown Bar and Grill in Placerville and you'll likely get a round of guffaws, if not another round of drinks going. At the

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El Dorado Historical Museum, which records the Gold Rush experience in thousands of artifacts, documents, and maps, you'll get a forthright, no-holds-barred response from the museum executive director, a lanky character in jeans, cowboy hat and bushy mustache. "Those people aren't even from around here," said Denis O'Rourke Witcher. "I don't know what in the hell the Sesquicentennial Commission is doing anyway. It's a big ho-hum around here."

Out in Queen Calafia's domain, ho-hum is one thing the Sesquicentennial should not be. Folks are fiercely proud of their region's historical roots. But some aren't even aware of the 150th year festivities and whether they are supposed to be included. No one has the funding for widespread publicity not the county government, not the local chamber of commerce. And unlike 50 years ago, when the state of California celebrated the 100th anniversary of the Gold Rush with $5 million to $6 million set aside in grants for local projects (the equivalent of $25 million to $30 million in today's dollars), this time around the state has nothing to share. Nada. Nothing. Period.

"We do not have a fund like that," conceded Starr. "Times have changed. This governor would like to see this be a public-private partnership."

Public television personality Huell Howser, another commission member, is blunt in response to pointed questions over why there's no pot of money to assist financially strapped Gold Country communities with commemorations: "The days of big government are over. The days of passing out money are gone. They need self-starters to raise money in their communities. Hopefully someone will take that opportunity."

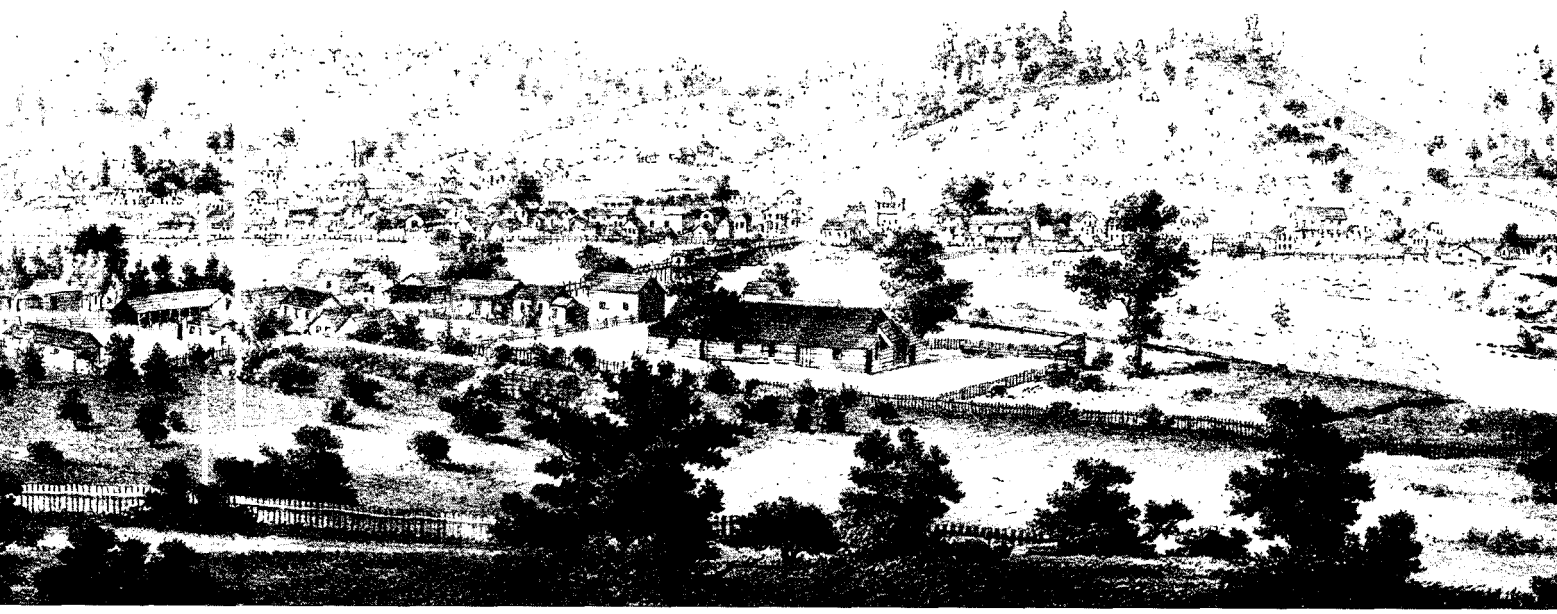
That's easier said than done, of course, especially when your community is far from affluent. The modern day Mother Lode retains few of the riches it once birthed. It's rare to find a small business that is just plain thriving. Outdoor recreation is a growing industry and county planners hope for high-tech spillover from Folsom, but bread-and-butter industries like logging have never recovered from the 1990s downturn. Prosperity is simply not visiting many enclaves of the Sierra like it is coastal Northern California, and county leaders feel that, when they could use a little extra help, the state is leaving them high and dry.

For some time, Rose Miller has known of approaching opportunities, but she fears others are in the dark. "The residents here are feeling like there's not going to be many people coming. I'm afraid they won't be prepared," Miller said. "I'm hearing county people say, 'What's the Sesquicentennial? When is it? What's it about?' New vendors [for souvenirs] are difficult to find because they are not hearing about the Sesquicentennial. That's where I feel we fall behind."

Miller, a local promoter of the county's "official product line" of mugs, T-shirts, tote bags, key chains and so forth, is perplexed as to why Sacramento has been so silent. Of the 10-member salaried staff assigned to the commission, Miller sighs, "I don't honestly know what they are supposed to be doing. Money goes into their payroll. I know that. I know they all have salaries."

Another sore point is that the governor's office apparently tipped off Coloma's backers that they would have to share his attention on the January 24 weekend of the kickoff festivities. On the first day, the official Gold Discovery Day, he will likely cut out of Coloma early and head out to the Bay Area for the grand opening of the Oakland Museum of California's state-of-the-art Gold Rush exhibit. As an enticement, the museum's director went before the commission and asked it to "consider the Sesquicentennial's fund-raising presence in the Bay Area." He also offered free office space — to augment fund-raising offices the foundation maintains already in Sacramento and Los Angeles. Then on the closing day of festivities, Wilson is planning to attend the Super Bowl in San Diego, where the commission hopes to bring to fruition plans for a pre-game show with a Sesquicentennial theme: dancers will re-create gold discovery, with exploding mine shafts, a performance by the Beach Boys and possibly narration by Clint Eastwood.

As for Gold Discovery Park at Coloma, where the first pea-sized nugget was boiled in lye to prove its authenticity,



Coloma, circa 1857

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it must throw its own birthday party and raise outside funds to pick up the tab. No state allocation, despite the fact that it is a state park that attracts hundreds of thousands of visitors a year. As of two months before the kickoff, Matt Sugarman, head of Gold Discovery Park, had about $35,000 of the $350,000 needed to stage the anniversary celebration. He had no idea where he was going to raise the rest. This is on top of an extensive wish list that the Gold Discovery Park distributes to potential private donors asking for money to restore its historic facilities so that they may be around for the Bicentennial in another 50 years. The wish list has the state park go begging for such basics as $150,000 to make water flow through Sutter's Mill again, $110,000 to refurbish James Marshall's Cabin and the another $150,000 for the Monroe House, home to an African-American family that graciously allowed a destitute elderly Marshall to stay on.

Andrew and Sarah Monroe, circa 1890. Family Farmhouse. Courtesy of the Marshall Gold Discovery Parks Museum.

"I'm one to say this is just not doggone right," said Miller.

Gold Country residents aren't the only ones put out. Historian and respected author J.S. Holliday, who wrote the acclaimed Gold Rush book "The World Rushed In," is one Sesquicentennial commissioner who is not shy about criticizing the state's lack of support for the historic gold discovery site. "Coloma is a symbol of immense value. Tragically, carelessly, foolishly, the state of California has failed miserably to develop, nurture and define Coloma for what it actually is — the nest of the eagle that grew into California."

Of utmost importance to Holliday and other Coloma supporters is getting funding to reroute state Highway 49 so it won't cut directly through the middle of the site. Moving the highway has been recommended by three traffic studies dating back 20 years.

"I wouldn't put a public highway through Gettysburg or any other place we treasure," said Holliday. "We should spend the money to move that road and leave Coloma with the kind of dignity that it deserves."

Another commissioner, who asked not to be named, said the commission got down to the wire and figured it had to make a choice between devoting time and effort toward raising funds for Coloma and trying to get the tallships event nailed down. They chose the tallships.

"It's the big splash that creates the dribble," said Wright.

Starr is defensive about the charge that Coloma is emerging as a forgotten little sister to the coast's budding role as starlet. "There's no evidence to that," Starr insisted. But he also concedes that there's no explicit obligation to raise money for the Gold Country" in the foundation's mission. And Gold Country natives wryly note that Wilson's original commission included nobody from the Mother Lode region. It was only after state Senator Tim Leslie (R-Roseville) intervened that aperson from the region was added to the commission.

The Gold Discovery Park may get some financial relief thanks to author and photographer Leslie A. Kelly, who is marketing a special "Governor's Sesquicentennial Edition" of his 1997 coffee-table book, "California's Gold Rush Country." At bookstores, the original volume sells for $29.95. The collector's edition, with a leather cover, gold-foiled governor's seal and Wilson's signature, sells for $1,000. Kelly says he wanted to "give something back" to the park he featured prominently in his book and he insisted that half the profits the foundation receives be routed toward the park.

While such private initiatives aren't discouraged, the commission spends the bulk of its time putting the stamp of approval on historical projects in various communities, giving a thumbs-up to affiliations with worthwhile events that come for the nod but raise their own funds such as the Oakland Museum's exhibit, and testing money-raising plans. Already, the foundation boasts a broad product line: everything from shirts to caps to backpacks to license-plate frames. There are even plans for a plush Sesquicentennial bear. All are emblazoned with the official Sesquicentennial logo: a star with three flourishes, which one commissioner suggested selling point-by-point and flourish-by-flourish to wealthy corporate sponsors *a la* the 1984 Los Angeles Olympics. Currently, use of the logo goes for $250 for a nonprofit; $750 for corporations.

Plans are bandied about in the meetings for a cyber-Sesquicentennial, high-tech multimedia presentations, an IMAX film, a partnership with Disney on an attraction focusing on California, a Gold Rush ball and more. There is also thoughtful discussion on steering clear of a white-washed version of life in the Gold Rush Era, when prospectors mistreated Native Americans, African Americans and Chinese, to name three groups subjected to the cruelties of the day. Sometimes the sheer scope and breadth of the Sesquicentennial is daunting for commissioners.

"It really is something," Starr said. "It's like organizing a campaign for governor that lasts for three years."

Starr says he takes his direction from Wilson and that the governor wants to be true to history and not avoid controversy. "The governor has set the kind of tone he wants to take for the Sesquicentennial," he said.

How concerned is Wilson with the tone of the event? Concerned enough to dispatch a contingent of press staffers to tape an interview Starr recently conducted with a reporter. Neither the reporter nor Starr were informed in advance about the taping, and such recordings are rarely conducted unless Wilson himself is involved with the interview.

Wilson's motives for so aggressively stage-managing the event are, of course, subject to speculation, given that the 150th anniversary runs well into the presidential election year of 2000. Fueling the speculation is the administration's revelation that Wilson's Sesquicentennial Foundation will live on as a private educational nonprofit when the Governor leaves office. But whatever motivates Wilson's interest, it's clear the governor will have a huge say in how Californians — and those outside of California — remember the Gold Rush.

The residents of the Mother Lode just hope that, in the process, Californians are reminded where it all began.

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California Voters on Trial Lawyers and the Political Process:

Voter / Consumer Research
Topline Results

Q18. Would you be more likely to vote FOR or more likely to vote AGAINST a candidate for office who received (VERSION A:) about 5% / (VERSION B:) about 10% / (VERSION C:) more than $20,000 (VERSION D:) more than $50,000 of his or her campaign contributions from personal injury lawyers? (IF ANSWERED ASK:) And do you feel strongly about that? (PROMPT: And would that be strongly (favor/oppose) or just somewhat (favor/oppose)?

		A	B	C	D
1.	More likely for / strongly	5	1	9	4
2.	More likely for / not strongly	8	8	3	6
3.	More likely against / not strongly	23	16	12	14
4.	More likely against / strongly	43	51	53	53
5.	Makes no difference (VOLUNTEERED)	16	16	15	18
6.	Don't know	4	6	6	5
7.	Refused	2	2	1	-

Q19. Thinking ahead to the legislative elections in 1998 -- which type of candidate would you vote for (ROTATE)

1.	A candidate who accepts contributions from large companies and small businesses	69
	OR	
2.	A candidate who accepts contributions from personal injury lawyers	7
3.	Don't know	20
4.	Refused	5

Survey of 800 California Voters
June 1997

California Voters Want Legislators Who Work for Jobs and Consumers, Not for Trial Lawyers

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Rostrum letters

Mental Health

As advocates for better mental health services in California, we are pleased that the *California Journal* saw fit to focus on mental health services (see "Mental Health Care: From the Snakepit to the Street," *CJ*, October 1997). We were disappointed, however, with the negative tone of the article, its use of very out-of-date references, its focus on only the Sacramento jail and acute in-patient service and its limited understanding of the problem. Yes, mentally ill persons do cause problems for law enforcement; but the issues are far more complex than the lack of state hospital beds. Fortunately for all of those people who would have been institutionalized for long periods of time (perhaps for life) in the 1950s, society no longer incarcerates people because they might someday commit a crime or because their lifestyle is offensive to others. Your focus on a few people who are difficult to manage ignores the far larger number of individuals who are leading much more satisfying lives due to the care provided by public mental health systems throughout the state. Not only are new and better medicines helping, but there are many innovative, successful programs being developed through the state.

Your article implies that homelessness is caused by a lack of institutions; we believe that it is due to a lack of low-cost housing. The homeless constitute a heterogeneous population that is not successful in our competitive society, only some of whom have mental illnesses. If there were safe housing available that could be afforded on the subsistence grants available to these individuals, "mercy bookings" would not be necessary. While persons with mental illnesses are problematic for law enforcement, the reverse is also true. There is a desperate need for better collaboration between law enforcement and the mental health treatment system. Persons with mental illness do commit crimes just like the rest of society, however their illness must be recognized and dealt with humanely. They do not respond well to punitive management. While in the criminal justice system they require special treatment personnel, facility modifications and expeditious processing through or out of the criminal justice system with cooperative follow-up to assure community treatment.

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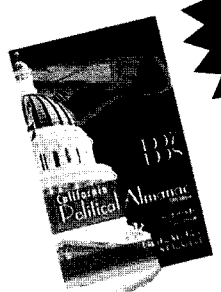

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Thank you for your interest; we hope that in the future you will focus on the positive developments as well as the deficiencies of California's mental health system. There is hope.

J.R. ELPERS, M.D.
President-elect
Mental Health Association in California

Editor's note: It is interesting to note Dr. Elpers' objections to our story on mental health, especially his criticism that California Journal *used "very out of date references." It is unclear what he means by this phrase, but we cannot allow this objection to stand without calling attention to the fact that we relied heavily on research material and statistics provided by Dr. Elpers' own organization — the Mental Health Association in California. As for our "limited understanding of the problem," we let the story stand for itself.*

— A. G. Block

A heartfelt thanks for the superb October 1997 issue on mental illness, and especially the article "Faces of Mental Illness." In a brief space you were able to capture with accuracy, intelligence and sensitivity both the despair and the hope that families, consumers and professionals alike experience.

Each member of my own family who read the segment on our eldest son David, who has struggled with schizophrenia for 17 years now, commended the honesty and depth of your article. Knowing first hand the horror of the Kiefer family's experience and the tragic death of their son Marc, I join them as a combatant in the frustrating legislative battle waged against one of the most steadfast and formidable friends — psychiatrists, as an organization. We advocated to restrict, if not totally eliminate, their barbaric practice of using restraints on psychotic patients, an archaic response that is too often "lethal force" when compassionate and trained intervention is most needed.

The story ably conveys, with neither apology nor the pretense that better times are upon us, a sense of determination emanating from that very special collection of people whom the random cruelty of fate has brought together to deal with devastating personal and familiar experiences now known as "neurobiological disorders." Hopefully our citizens and their various governmental and non-governmental organizations will respond with more sensitivity because of the illumination shed by publications that are beginning to offer more accurate insights into our society's failed response to these poignant human health needs. It is a chronicle all too often bleak, sad and inept — loaded with too little, too late — and camouflaged by ever changing inadequate programs bearing glitzy names like "managed care" and "realignment" that hold out false promises and misrepresentations to families, consumers and professionals.

Thankfully today a new generation of medications that no longer rely on flirtation with toxicity in order to arrive at some degree of effectiveness for some of the ill people, begins to give us reason for real hopefulness despite the continuation of ill-conceived, underfunded, dysfunctional "non-systems" of care for which California's taxpayers annually shell out over a billion dollars to purchase a mostly shabby product that does not do the job. Enormous challenges remain.

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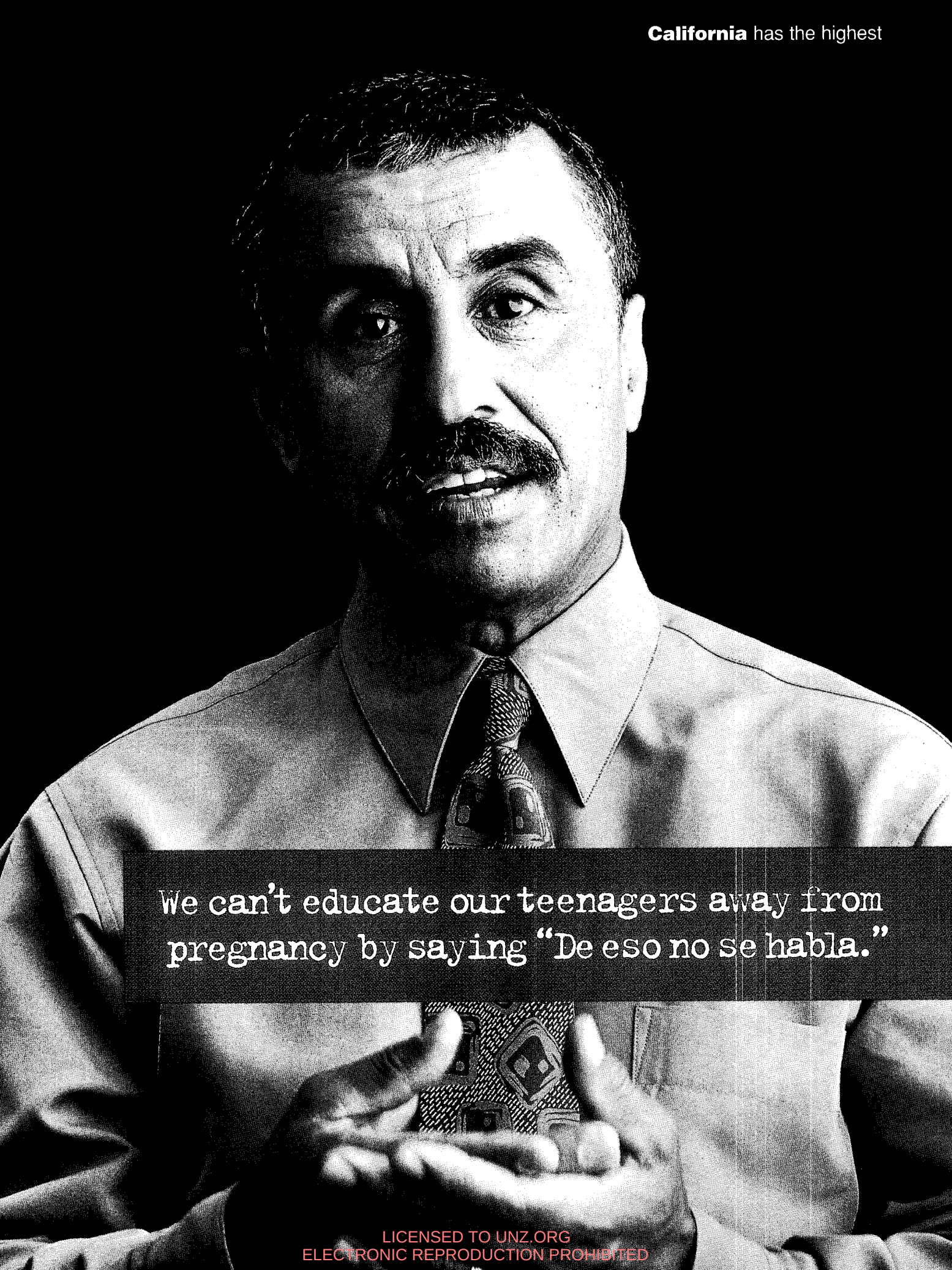
California has the highest



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teen pregnancy rate in the industrialized world. This series asks **why**...and what we should do.

"We don't talk about that." Adults often hesitate to speak to young people about sexuality. And it's no different among Latinos.

Many of us have made tough decisions with too little knowledge. We know the consequences. But if we remain silent now, how can we equip our young people to deal with their own challenges?

As it is, too many Latino youth feel they have no one to turn to.

Latino teens face the highest drop-out, poverty, and teen pregnancy rates.

Teen pregnancy, dropping out of school, and poverty are the biggest threats to Latino teens. We must confront all three if we truly want our young people to flourish.

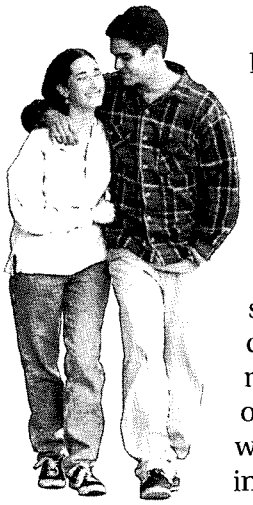
Sex and birth control may be one of the more uncomfortable issues to tackle, but silence is a luxury we can't afford.

Many young people today have the same misconceptions we had, and face more serious dangers—the AIDS virus, for example, or early pregnancy in a society that demands intense schooling and work experience during adolescence.

And just as important as accurate information, young people need good reasons to make thoughtful decisions.

Only when Latino youth have real opportunities will they feel they have a future worth pursuing.

As we try to encourage our young people, strong forces work against them. In their crucial teen years, Latino youth are struggling to grow up in a society that can be unfriendly to *all* adolescents. At the same time they face violence, discrimination, and disrespect for Latino heritage and culture.



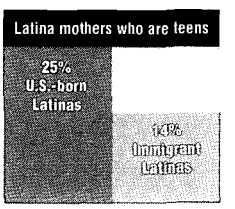
***FACT:** Latina teens have the highest teen birth rate in California.*

In fact, some studies show that U.S.-born Latino youth raised in this hostile environment have lower expectations and higher pregnancy rates than Latino teens who have recently immigrated to this country.

Fortunately there are great strengths in our diverse Latino communities. We can learn from our many struggles and victories. And our rich cultural values of education, work, and family can anchor and inspire our youth.

Each generation can tell stories about the challenges it has met. And it is these bridges between generations that can help our children make positive choices about sex, education, and careers.

Let's translate our strengths into a language our teens can understand.



***FACT:** Immigrant Latinas are almost half as likely to be teen mothers as their U.S.-born peers.*

Our young people want to learn from confident, caring adults.

Sex education at school gives them the facts. But the discussions Latino youth have at home and in our communities—where self-respect and strength are rooted—give the facts their meaning.

Latinos can talk about all of this. If we don't reach out to our young, who will?

Angel L. Martinez has 25 years of experience developing health and sexuality education programs with young people and adults throughout the U.S. and Latin America.

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Public Media Center Chart: Ventura S & Taffel S *Public Health Reports*, 1985

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The Bottom Line

commentary

by Susan Rasky

Chasing a moonbeam

The *Oakland Tribune* could barely contain its enthusiasm. Jerry Brown's decision to run for mayor amounted to a declaration that Oakland "is a wonderful city, a great place to live and work," the paper chortled in its lead editorial following Brown's October 28 announcement. "With the national media he has already drawn and promises to attract, this upbeat message about our city will be carried far and wide in the months ahead."

As if to furnish proof, the *Tribune* coupled the editorial with a giddy front page account of the public relations miracle already unfolding — 40 media outlets present at Brown's announcement press conference and, be still our hearts, a story on his candidacy in the *New York Times*.

Maybe it's uncharitable to mock a city whose most recent experiences in the national spotlight involved earthquake damage, economic decline and ebonics. But Oakland's sheer delight at even the prospect of attention suggests that the conventional political wisdom on Brown's mayoral bid has the spin all wrong. It's not so much that Brown needs Oakland to boost his ego and build himself a national soapbox. Rather, Oakland needs Brown — quirks, eco-visions, Zen and all — to boost its civic self-esteem.

Gertrude Stein saw Oakland as a city in search of an identity. She was wrong, too. There was, and is, plenty of "there there" — rich history, a busy port, and a yeasty mixture of ethnic and racial groups struggling for common ground amid a heap of economic, social, and environmental problems.

Contemporary Oakland is more accurately described as a city in search of a savior. Eight years ago it was to be Elihu Harris, the current mayor, with his Sacramento connections and plans for community dialogue. Then it was a new Federal Building, then port development, then, in what has proved to be the most disappointing of economic fixes, the return of the Raiders football team.

Now it is a former governor who says he wants to turn Oakland into an "ecopolis": a sustainable city where "solar generators quietly hum," where "eco-farmers" and "sustainable fisherman" sell their products and "one firm's garbage becomes another firm's gold."

That description of a still developing "green plan" for economic, environmental and political overhaul of the city comes from Brown's "We The People" website [www.wtp.org], the electronic billboard for the community organization he established shortly before moving to Oakland in 1994. Operating from a converted warehouse near trendy Jack London Square that serves as his office, home, and gathering place for community activists, Brown — at least on the surface — easily fulfills the kook-and-cultist stereotype that attended his governorship two decades ago.

But as Sidney Blumenthal, then-freelance journalist and now a domestic policy advisor to President Bill Clinton, observed in a 1980 profile, throwing off ideas is a biologic process for Brown, a way of experimenting and campaigning. "You can never attack him by attacking his ideas," Blumenthal wrote. "By helping him winnow out the weaker ideas, you are helping him survive. This is his method of polling."

Brown's rolling focus group may find him hosting morning Tai Chi classes at the warehouse, but late at night he's a regular at Esther's Breakfast Club & Orbit Room in West Oakland, one of the city's most blighted neighborhoods. It's the sort of eclectic grass-roots networking that gives more traditional politicians fits. Who can say how broad or deep a Jerry Brown base might be.

Larry Tramutola, who is managing the mayoral campaign of urban studies professor Ed Blakely, is betting that the Brown base dwindles. "For those who are tied to Jerry Brown, nothing is going to shake them — they throw away their votes in June," said Tramutola. "The longer he goes, the worse he does."

But even critics know better than to underestimate his political savvy. "If you make a mistake he'll eat you alive," says political consultant Richie Ross, who will be handling the mayoral campaign of Alameda County Supervisor Mary King, another of at least six possible contenders in the race. "There is no question that Jerry Brown gets into the runoff."

Gale Kaufman, the political consultant who is advising city councilman and labor leader Ignacio De La Fuente, isn't willing to concede that much. On the other hand, she, like Ross and Tramutola, has been compelled to spend the weeks since Brown's announcement responding to questions about him, rather than her own candidate.

"Jerry Brown is going to run himself as a media event. He'll have everybody's focus and somebody will come in behind him and win the election," Kaufman says. "The way you deal with this is to put your head down, ignore the national media and find enough votes to get your candidate into the runoff."

Oaklanders who are anticipating grand political theater from the Brown candidacy may get more than even the ebullient *Tribune* has bargained for. Veteran and venerated congressman Ron Dellums is expected to announce that he will not seek a 15th term in 1998. The maneuvering to succeed him, and to jockey for positions in any legislative dominoes that might fall as a result, could accomplish what his opponents cannot: Turn Jerry Brown into a sideshow.

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Trivial

By many accounts, coverage of state government and politics has become more about scandal than substance.

by Claudia Buck

In a scene from "Slattery's People," a short-lived 1964 television drama shot in Sacramento's state Capitol, Ed Asner plays a feisty Capitol reporter confronting Richard Crenna, a no-nonsense state senator heading an ethics investigation. After a testy exchange in a Capitol hallway, Crenna snaps: "Who do you think you are, anyway? The voice of the people or something? A big watchdog of the Legislature?"

"You bet I am, mister," responds Asner. "I'm here to report what you're doing, what you're saying and yes, even sometimes what you're thinking."

The show, not surprisingly, didn't survive more than one season. While some would suggest that the relationship between press and politicians is better suited to sitcoms than serious drama, the two will forever be squaring off against one another. How well the media is doing its job covering politics is one of those topics that everyone loves to chew on, if not spit on. The somewhat ambivalent consensus among a variety of participants in Capitol politics is that political coverage in California is both terrific and terrible.

All too often, many say, political coverage sings the same one-note song: "The Legislature has failed, end of story," said Timothy Hodson, director of the Center for California Studies at California State University, Sacramento. What's missing, said Hodson, a former Capitol staffer, is the "why," the underlying reason for what happened. "The Legislature has received a disproportionate amount of critical press coverage. It's unfairly negative because the press and Californians don't have

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"McDuck" illustrations by Tim Foster

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Bill Endicott

a very good idea of what the Legislature is supposed to do."

The situation is not unique to California's political process. Peter Harkness, editor of *Governing*, a Washington, D.C.-based magazine on state and local governments, says the media nationwide has damaged the political process, "by overemphasizing the most minor scandals without showing any interest in highlighting or celebrating the success of government. It's almost considered gauche for journalists to acknowledge the successes of government."

Bill Leonard

Not surprisingly, that's a frequent refrain among politicians. Although Assemblywoman Carole Migden (D-San Francisco) said she personally has been treated fairly, she also feels coverage generally tends to overemphasize the negative and overlook the fact that "a lot of us are honest, hardworking legislators trying to do a good job."

"There's a falling down in fairness," said Migden. "There's a loss of faith and trust in politicians. And it's partly because we get so ridiculed... and treated with such blatant disdain by the media."

It likely plays a part in why the public's confidence in state government - and in those who cover it — has plummeted to alarmingly low figures. In a statewide Field Poll released in September that surveyed the public's confidence in various professions and institutions, state government and the press were ranked near the bottom rung on the confidence ladder. On a scale where 100 indicated an even balance of opinion by those surveyed, newspapers ranked 57, TV and radio news 48, and state government bottomed at 29. Only lawyers and insurance companies rated lower. Mark DiCamillo, director of The Field Poll, said it's no surprise that people are tuning out politics and state government.

"The one time when people are asked to sit up and start paying attention to politics is during an election cycle," said DiCamillo. "[That's when] they get bombarded with the worst side of politics: the negative ads, the name-calling, the attack pieces. It turns people off to the regular course of following state politics. It's a shame."

Hodson agrees, saying campaigns are "successfully educating people that government is bad." Hodson is convinced that, if TV stations and radio would devote more time to straight political reporting, "over time the people's confidence in the press, not as scandal mongers but as responsible [journalists], and the perception of government as responsive to solving problems, as opposed to some conspiracy out to get you, would increase."

Part of the problem in covering California politics is that it's just too big and too complex to neatly package. Bisected with more freeways, more ethnic enclaves and a bigger budget than many countries, the state is home to a dizzying array of 40 Senate, 80 Assembly and 54 congressional districts. It's a hard handle to grasp. Writing in the newly published book "Governing California", University of California Berkeley journalism professor Susan Rasky said the state's "sheer geographic size gives news organizations little financial incentive for statewide focus." Rasky, who is also a contributing editor for *California Journal*, noted that only 20 of the state's 118 daily newspapers have their own correspondents in Sacramento. And TV bureaus fled the Capitol years ago.

Politicians, who have become increasingly adept at "spinning" coverage to their advantage, also draw their share of criticism for encouraging shallow coverage. Ironically, despite advances in equipment and satellite technology that should make covering politics easier for TV outlets, politicians have skillfully made it more difficult by carefully staging their public appearances. Governor Pete Wilson is frequently criticized by the press corps for appearing only behind the podium in the Capitol's press conference venue, or at strategically chosen backdrops around the state.

Carole Migden

Another complicating factor is the degree to which coverage is being left to relatively green reporters. Assembly Republican Leader Bill Leonard (R-San Bernardino), now in his 19th year as as legislator, says most of the Capitol's press corps in Sacramento "know as much or more about issues as I do and their questions reflect that." But he says he often encounters other reporters, usually from local papers, who are new on the job, haven't done their homework, and begin asking questions that reflect "a shallow level of understanding." As a result, Leonard said, "I'm giving a history lecture [on a bill] before I can answer their question." Los Angeles-based political consultant Allan Hoffenblum, says the same holds true with election coverage

"You get reporters right out of journalism school who are still asking 'What's the difference between an assemblyman and a senator?" said Hoffenblum. "They don't know who ran two years ago or four years ago so you're sitting

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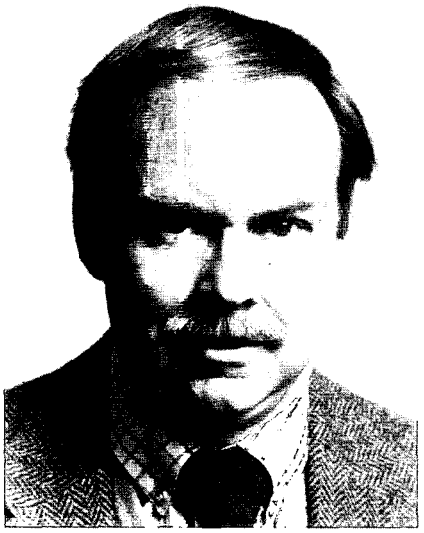
George Skelton

there giving them a history lesson."

But even those with strong institutional memory sometimes find it difficult to get their stories in print or on the air. Both in newspapers and on television, political reporters often find themselves battling for space as soundbites shrink and newsholes expand and contract. "People in television fight every day to get their stories on the air because they're competing with forest fires and El Nino," said Deborah Pacyna, reporter with KXTV in Sacramento. William Endicott, assistant managing editor and former Capitol bureau chief of *The Sacramento Bee*, said his paper long ago gave up covering every bill and every press conference that occur daily under the Capitol's dome.

"There isn't an appetite for the minutiae that *The Bee* used to cover — the every-little-squirrel-that-falls-out-of-a-tree-in-the-Capitol kind of story," said Endicott. Instead, he said the Bee focuses more on longer, more analytical, in-depth stories and weekend features that he believes better serve the reader by putting the Legislature's daily developments into perspective.

Much has been written about the "good ol' days" of political journalism, in the 1960s and '70s, when colorful characters such as "Big Daddy" Jesse Unruh, Hollywood's Ronald Reagan and the eccentric Jerry Brown attracted national press — including a handful of TV stations that opened bureaus in the Capitol. It was a time of belly-up-to-the-bar fraternizing between politicians and the press, who frequently socialized in dowtown watering holes," or even in lawmakers' offices. Lobbyist Richard Ratcliff, who arrived in the Capitol in 1960, said that easy-going comaraderie lent itself to a certain friendship and trust between the press and those they covered. He recalls reporters having more time to develop a story and sources.

But others, such as *Los Angeles Times* columnist and former bureau chief George Skelton, believe the booze-and-schmooze atmosphere didn't bring clearer insights or better reporting. Today's cadre of political reporters, said Skelton, "are better writers, better educated and more ethical" than those of the earlier era. Indeed, many of those interviewed for this article praised the work of the state's political reporters, primarily those on newspaper staffs.

But in a world where most people get the bulk of their news from TV, a great uneasiness exists about the limited extent of the public's exposure to state government news. Many cite the decade-old University of Southern California study which concluded that top-rated newscasts in the state's five largest markets devoted an average of about one minute an hour to state legislative issues.

"Down here in Los Angeles, unless the Capitol catches on fire or someone is raped on the front stoop, there's hardly any coverage at all," said Hoffenblum. "The L.A. TV market

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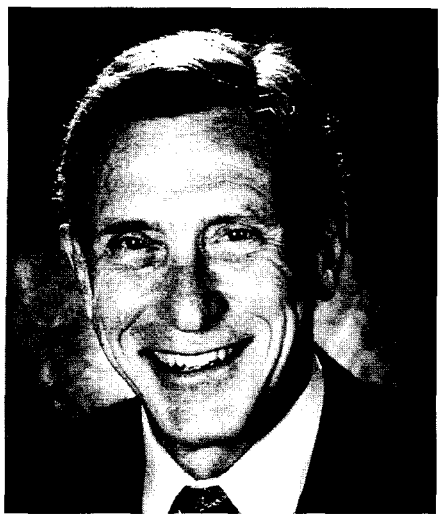

Tom Hoeber

is notorious for all but blacking out political coverage."

"The battle is lost over television reporting of state government," said Belva Davis, a veteran San Francisco political observer and co-host of a long-running public affairs program on KRON-TV in San Francisco. Davis said the lack of daily political coverage is one reason that Assembly Speaker Cruz Bustamante (D-Fresno) has suffered from an identity crisis. Unlike his Democratic predecessor Willie Brown, who attracted the media like a magnet, Bustamante is a virtual unknown to most TV viewers. "A lot of the confusion about the current speaker is because so few people see him in action," said Davis. "They simply haven't had a lot of exposure to him."

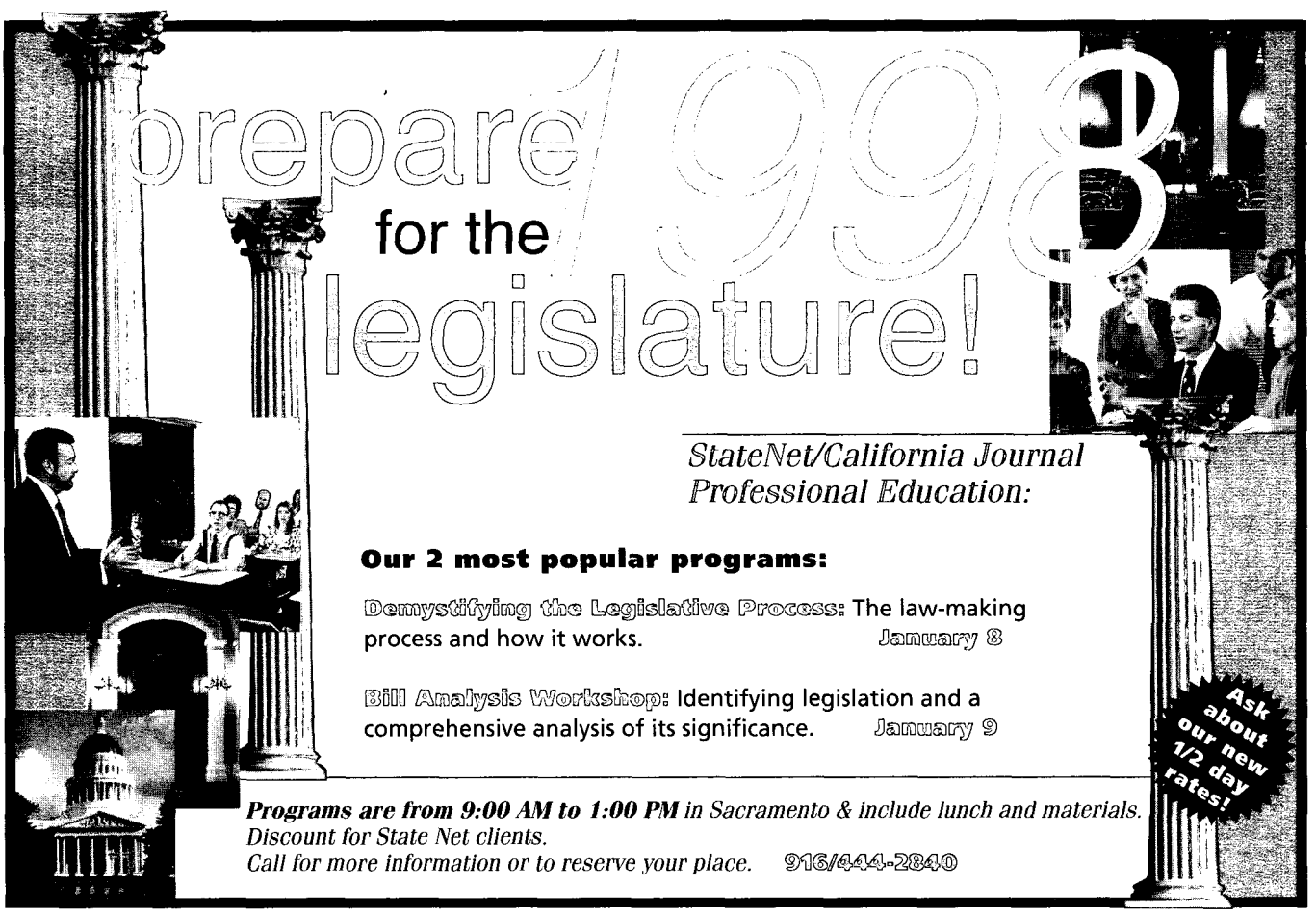
Others are more harsh. "TV is totally outrageous in its abdication of responsibility," maintains Tom Hoeber, co-founder of the *California Journal* who now heads the Coro Foundation. "TV has given up on the concept of serving as a link between government and the governed. If you get all your news from TV, there's no way you can vote responsibly in an election."

Driven by sagging ratings and marketing consultants who say politics doesn't grab viewers, the stations began closing their bureaus in the 1980s. The last to leave was KRON-TV in 1988.

Steve Swatt

"Ratings have turned TV news into a popularity contest," said Steve Swatt, a former correspondent for KCRA television in Sacramento, who left political reporting in part because of his frustration over withering political coverage. "Instead of making Capitol news more relevant to the viewer, crime news began taking center stage and slowly pushed meaningful coverage of the state Capitol out of the newscast."

It continues today. "There's a war going on for eyeball time," says political reporter Jack Kavanagh of KOVR in Sacramento, noting that network TV newscasts must compete with cable outlets and the Internet for viewers' attention. "TV stations don't have time to invest in political reporting anymore. They can't risk the time it takes to tell a government story and run the chance that their viewer will click off the channel."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Of course, not everyone is quite so glum about television's Capitol coverage. Former NBC foreign correspondent Steve Mallory runs Northern California News Satellite which, since 1987 has beamed a daily diet of Capitol-based stories to as many as 22 stations along the West Coast. Stations that don't subscribe can pluck stories individually from NCNS's satellite wire service

Mallory has nothing but disdain for "print bozos" who are constantly wringing their hands over Capitol TV coverage. In fact, he contends just the opposite is true. By Mallory's count, when Sacramento had its own out-of-town bureaus, the five or six stations represented had reporters who filed only one political story a day; today, Mallory said NCNS's Capitol reporter files three or four political stories daily and they're beamed into 22 cities as remote as Eureka and Redding.

"More people today get TV coverage from the state Capitol than they did 10 years ago," said Mallory.

Moreover, it seems that the Capitol is still news in its hometown. "This is a company town and the company is government," said Ed Chapuis, news director for KCRA television in Sacramento. "It'd be silly for us to ignore state government." Chapuis said that, after the 1984 election, TV stations did some "real soul-searching about how poorly we covered the issues." Last year, KCRA conducted series of town hall-type meetings, called "Voices of California," in which viewers chose issues that were important and the station set up community forums and invited politicians to debate the chosen topic. That notion of "civic journalism" designed to engage viewers has also been done in similar fashion in San Jose and San Francisco.

Calling it the best thing to happen to TV journalism in the last 10 years, Chapuis said stations decided "they weren't going to let politicians completely drive the agenda anymore."

Ironically, however, politicians were apt to be no-shows when it came time to appear at the forums. "Politicians say they want better access to the airwaves yet when it's there for the taking, you can't get them to show up, said Chapuis.

Not surprisingly, there are as many prescriptions for the malaise afflicting political coverage as there are people opinions about the problem itself. Many observers argue for more focus on substance and less on scandal and "horse race" coverage. "[Reporters need to] frame their stories in ways that make people care about them," said Barbara O'Connor, professor of communications at California State University, Sacramento. "All the things that people say why they don't read political stories are journalists' fault." Even some journalists agree that coverage has narrowed too much, and that news organizations must force themselves to look beyond "the usual suspects."

"More coverage is needed on the monstrous agencies — DMV [Department of Motor Vehicles], Cal Trans, Corrections, Cal-EPA," said Marc Lifsher, one of two people covering the Capitol for the *Wall Street Journal*. [These are] obscure but crucially important agencies that affect people's lives. They're never covered."

Others say politicians are at least as responsible as journalists for the public's disaffection because of how they conduct themselves and their campaigns. DiCamillo believes some kind of lid on campaign attack ads could dramatically increase the public's interest in politics. "The negatives outweigh the positives in the campaign process and that's what is turning people away," he said. Hoeber argues for even broader campaign and lobbying reform, to restore public faith in its institutions. Regardless of the remedy, there seems to be a consensus that in an ill-informed public is a threat to the process.

McDuck speaks on education
Page 800 [illegible]
Page 1000

"It may sound corny but unless the news media gives the public not just what people want to see but what they *need* to see, this democracy cannot function," said Bill Branch, a former Capitol correspondent who spent 22 years in broadcasting. "That doesn't mean we have to feed the public its medicine or bore them with 20 solid minutes of taxation, but things go on under that Capitol dome that change the daily lives of every Californian. If people aren't getting more capitol coverage, we all suffer for it."

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Computer

A line from the Prince classic "1999" tells the story of the dreaded "Millenium Bug" — "Two Thousand-Zero-Zero, party over." Unless the bug is fixed, many state computers will party like it's 1900.

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hangover

Illustration by Norm Hines

by Ken Wells

It promises to be the biggest, loudest and most rip-roaring party ever as people around the world celebrate the dawning of the third millennium. Already, most of the major resort destinations, airlines and cruise ships are booked for the extravaganza on December 31, 1999. The celebrations will become wildly insane when the ball in Times Square stops descending at midnight and the world rings in a new age.

But the party may be short-lived. One second after midnight on January 1, 2000, the Earth will be attacked by a simple yet insidious enemy that will raise havoc on a scale and cost reminiscent of World War II. The invasion, though, will

Ken Wells is a freelance writer who lives in San Jose

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We assumed the old systems would be replaced by now. We didn't think any of our programs would still be running by the turn of the century.

— Patrick McDermott
Computer consultant

come from cyberspace, not outer space. Computers everywhere will go haywire because they won't know what year it is due to a deliberately built-in flaw.

In the 1960s, electronic storage was expensive so computer programmers developed a shorthand format for storing dates. Most computer systems today record dates using only the last two digits of the year, so 01-01-97 is read as Jan 1, 1997. When the new millennium rolls around, these same systems will read only the last two digits of 2000 and will decide it is 1900.

"We joked about this in the 1970s," said Oakland computer consultant Patrick McDermott. "We assumed the old systems would be replaced by now. We didn't think any of our programs would still be running by the turn of the century."

The year data field in computer programs perform a multitude of operations, including calculating age, sorting information, and comparing multiple dates. With society's increasing dependence on computers, the problem could have a serious impact from commerce and government operations to military readiness and the overall economy. Problems likely if the issue is not addressed include:

- Government agencies miscalculating the age of citizens, causing payments to be sent to people not eligible for public benefits while those eligible would not receive their checks.
- Air traffic controllers could generate erroneous flight schedules that may cause takeoff and landing conflicts.
- State and local computer systems could become corrupted, causing errors in property tax records, payroll, retirement benefit payments, vehicle registration, utilities regulation and breakdowns in public transportation systems.

California, home to Silicon Valley, could be especially hard hit both in the public and private sectors. Consider the chaos in the state if major computer systems fail. Power and telecommunications would be disrupted, Bay Area Rapid Transit trains would stop running, Los Angeles International Airport would close, citizens would not get welfare and Social Security checks, banks would be unable to process transactions, and credit cards would be invalid. The script reads like a science fiction novel but computer experts warn it is all too real. The only thing they differ on is the extent and degree of problems, and whether they will be corrected before the countdown to the millennium ends.

The worst case scenario, some experts predict, is if a significant percentage of computers are not made Year 2000-compliant by Jan. 1, 2000. Right now, the consensus among Year 2000 consultants is that 20 percent to 50 percent will not be fixed on time. Many government agencies and companies have not even started analyzing the effect the date change will have on their systems.

The cost of fixing the problem is enormous: $600 billion worldwide, $300 billion in the United States, and up to $3 billion in California, including $230 million just for state government agencies, according to the Gartner Group, a Connecticut-based computer research firm. Putting these figures in perspective, World War II cost $4.2 trillion, while the 1994 Northridge earthquake cost $60 billion.

Officials at the state agency in charge of overseeing the Year 2000 computer problem said a doomsday scenario is possible. "We think it's plausible something like that could happen and we take it very seriously," says John Thomas Flynn, chief information officer for the Department of Information Technologies. "This is not a joke. I've already heard horror stories from other states, including one where a prison computer read the release date of 2001 as 1901 and released prisoners early."

Flynn's agency has identified more than 3,000 state computer systems that could be affected by the Millennium Bug. About 500 of these are considered critical, with at least one mission-critical system in every state department. At the top of the list of agencies where the Year 2000 bug could be most devastating is the Department of Motor Vehicles, where programmers have to check line by line at least seven million lines of computer code. Most DMV computers rely heavily on sorting by date, especially for vehicle registrations, drivers licenses and identification cards.

For the DMV, concerns about the problem arose nearly 10 years ago. The agency issues a 10-year identification card for senior citizens. Cards issued in 1989 expire in 1999 so the department had to make the computer system that issues the cards Year 2000-compliant. The department didn't start working on the rest of its systems until early 1996.

So far, the work is about 45 percent complete and the DMV's Year 2000 project manager, Howard Seto, expects full compliance by December 1998, allowing a full year for testing. "If the problem is not corrected, calculations would be performed erroneously," he says. "Young people would become very old and vice versa. Since auto registration fees are based on the age of vehicles, we would lose millions of dollars because the computers would think newer cars are old."

Seto estimates the conversion cost for the DMV to be about $10 million, all redirected from other areas of the agency's budget.

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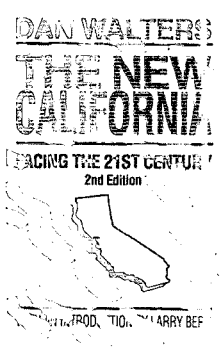

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At the California Department of Transportation, about 5 million lines of code will have to be converted, costing about $10 million this year and additional money in 1998, said Jeanne Bickford, Year 2000 project manager for Caltrans. The conversion is expected to be completed by December 1998. "I think we're ahead of a fair number of agencies," she said.

The California Highway Patrol estimates it must change close to a million lines of code. It allocated $380,000 this fiscal year but does not have a firm handle on what the total cost will be. It has hired several outside computer consulting agencies to help with the work. The agency has not yet finished an analysis of its 911 emergency dispatch system. "The initial reaction from our vendors is that it's not going to be a problem," said Bob Metzker, CHP Year 2000 project manager.

Officials at the California State Lottery are characteristically tight-lipped about the extent of problems in their agency. "My superiors do not want me to give an interview," said Kirby Fukushima, the Lottery's Year 2000 project manager. "They are not in favor of it at all." However, the difficulties facing financial institutions and government assistance payments could be indicative of the difficulties faced by the Lottery. Large payouts could be especially vulnerable, since the payments are spread out over 20 years.

California's cities and counties also are vulnerable to the Millennium Bug, and even though the problem is not as severe as with the state, it has some computer experts worried. "Very few people are doing enough at this point," said McDermott. "Governments have the least amount of flexibility in solving the problems because of the contract bid process. It's the one place where I see a real danger of the doom and gloom scenarios coming true." McDermott's warning is echoed by computer consultant and author Capers Jones of Massachusetts, who said state agencies are greatly lagging in their efforts to fix their systems.

"If local governments do not make fixes on time, everything from birth and divorce records to real-estate transactions and property sales will be misdated," he said.

In Sacramento, 22 of the city's 26 mainframe computer systems are affected by the date problem. The most serious are the utility billing system and accounting and payroll functions, said Dennis Ybarra, Year 2000 project manager for Sacramento. Even though the city's goal is to have all work completed in time for testing, Ybarra said problems are still likely.

"Inevitably, something will be overlooked or missed," he said. "We are going to have some disruption. You can pretty much bet on some kind of fallout."

Sacramento expects to spend about $1 million to fix the problems, mostly with money reallocated from computer system enhancements. Few new data programs are being funded. "We'll be working hard for two years just to stand still," Ybarra said.

Orange County officials said they began looking at the problem five or six years ago, replacing older non-compliant systems with newer ones that can handle the date change. The cost is estimated at up to $10 million, said Leo Crawford, the county's chief information officer. He predicts all systems work will be completed by January 1, 1999, allowing another year for testing. Still, he expects some problems at the start of the millennium. "Sure, there will always be a surprise or two, such as a building elevator or a county garage entrance gate not working," said Crawford. "But I see no reason why we shouldn't have most of the work done in time." Crawford said counties such as San Diego, Contra Costa and Alameda are in good shape, but many other counties and cities are not well prepared.

"It's suspiciously quiet out there and I'm worried," he said. "I've heard some people say they will fix the problems as they come up. That's dangerous."

Year 2000 consultant Peter de Jager believes there will be enough computer system failures in California and the world to warrant serious concern. "The doomsday bug scenarios are legitimate," the Ontario, Canada-based consultant said. "We're talking about a problem that is endemic to every large computer system, whether the computer operates a 911 system, whether it's air traffic control, or whether it's a banking system. If it is not fixed, these organizations will be without the use of their computers." Caltrans' Bickford agrees with this assessment.

"Personally, I think it's going to be a problem for a number of agencies and businesses that do not complete this project on time," she said. "It's a big project and a lot of people are still in denial. They've got to wake up and correct it."

It's difficult to determine how widespread the problem will be on January 1, 2000, but many experts believe the rosy assessments by government agencies that everything will be fixed on time are unrealistic and dangerous.

"They are frustrated and in denial," said Skip Rice, vice president of information technology for R Systems Incorporated, a computer consulting firm in El Dorado Hills. "Companies and government agencies without strong information technology departments are going to be like deer in the headlights of a car."

This is not a joke. I've already heard horror stories from other states, including one where a prison computer read the release date of 2001 as 1901 and released prisoners early.

—John Thomas Flynn
State Department of Information Technologies

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Course

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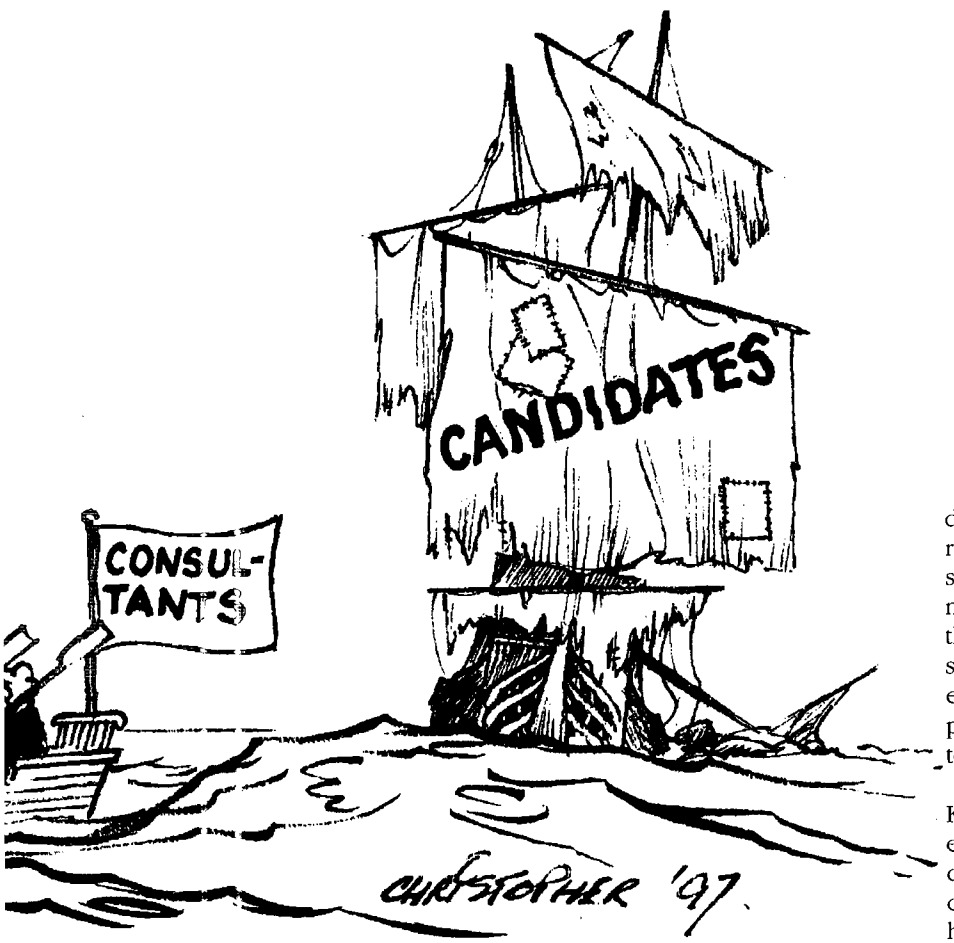
correction

The business of politics is changing, thanks to term limits and campaign finance reform. The real money is increasingly in independent expenditures, and many consultants are following the money.

by Noel Brinkerhoff



In many respects, Gale Kaufman is the quintessential political consultant, at least as far as legislative elections are concerned. Quick-witted (and occasionally sharp-tongued), she can recite details about a district's demographic profile and election history with rapid-fire precision. A veteran of both local and state election campaigns, she has helped elect many a Democrat to office, in both houses of the state Legislature. Electing Democrats is something she not only is successful at but also enjoys, since she is, by admission, a devout partisan of the Democratic Party when it comes to politics.

But recently, like many in her profession, Kaufman has had occasion to redirect her energies, if not her allegiances. Instead of devoting the bulk of her time to drawing up campaign budgets and logging hundreds of hours on the phone with individual Democratic candidates, who normally would have hired her for next year's election, Kaufman finds herself doing much the same work for a

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Gale Kaufman

different clientele: interest groups.

Whether it be mailers, billboards, television or radio advertisements, the money in politics is moving from candidates to independent expenditures. Such expenditures are made by committees formed by special interest groups, either to actively support or oppose a candidate or to advocate a particular issue or agenda. Consultants like Kaufman are focusing their skills and campaign knowledge on helping groups — unions or industry coalitions — get what they want from the political process.

"What you've seen with some of us who participate in the legislative campaigns is a blurring of lines," said Kaufman. "Candidate consultants [are] spending more time with interest groups and becoming more issue consultants."

For someone like Kaufman, the change in clientele has been quite dramatic. Prior to this year, 75 percent of her business was derived from helping candidates get elected to office, with the remainder of her time left for things like independent expenditure or issue advocacy work. Now the numbers are just the opposite, despite the fact that she prefers being a candidate consultant.

"As a partisan Democrat, it's been hard for me," Kaufman said. "I truly enjoy running candidate campaigns and electing Democrats."

A Democrats-only trend? Hardly. Tony Quinn, a Republican analyst who also does issue advocacy work for business clients, said much the same thing. "I think you're going to find more of those who have done partisan work moving out to work for coalitions of like-minded interests — business, labor, what have you," said Quinn.

So then, why the change?

For starters, there's the effect of Proposition 208 — the campaign finance reform law adopted last November — which is precluding many candidates from hiring consultants because of an inability to raise the necessary funds. Under 208, legislative candidates cannot begin to fund-raise until a year before the general election, with individual contributions capped at $250. Contributions of $500 can be accepted but only if the candidate accepts voluntary spending limits established by 208 — $200,000 for Assembly races, $400,000 for Senate.

Harvey Englander

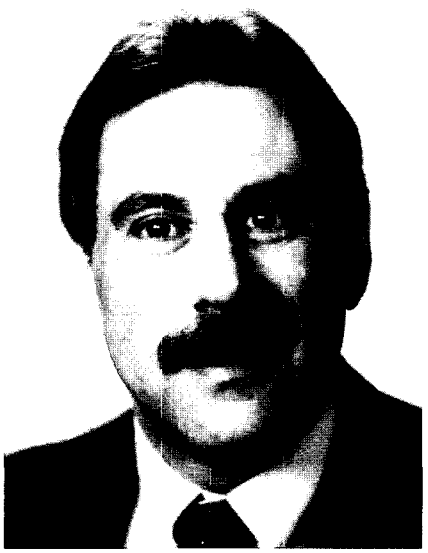
Consultants insist these limits make it impossible for candidates to operate the kinds of effective campaigns it takes to win elections. "A California legislative race is the equivalent to a congressional race in other states," said Democratic consultant Phil Giarrizzo, who places the price tag of an effective legislative campaign at $500,000 to $750,000. Consequently, consultants say, there isn't much point for politicians to hire them if they can't afford to produce the mailers and media advertisements that so crucial in district campaigns with hundreds of thousands of voters.

"When we sign on to a campaign, we obviously want to make sure our fee is covered," said Ray McNally, a Republican consultant. "But more importantly, that the candidate is going to have the resources to do *something*. And if they can't, then there's no point in them hiring us."

Consultants are also quick to point out that the cost of running campaigns has not changed because of campaign finance laws. "The cost of these campaigns has not changed because of 208," said Kaufman. "Buying television and the cost of postage keeps going up."

Some lawmakers have bandied about the idea of getting consultants to do *pro bono* (i.e. unpaid) work for those candidates who might be left without professional expertise in their campaigns. But working for free, consultants say, just isn't feasible. "If I decide to work for free, that's fine," said Democratic consultant David Townsend. "The problem is, I couldn't have anybody [in my firm] do anything. I can't donate their time."

Giarrizzo agreed, pointing out that



Phil Giarrizzo

a consultant is much more than the common perception of a "gunslinger ... with just a horse and pack." Political consulting, in fact, involves a lot of overhead — analysts, copy writers, and graphic designers. And even if consultants could donate their services, campaign finance laws limit the breadth of such donations, since they — like financial contributions — are reportable as donations to the candidate's campaign.

Despite the consenses among consultants that many candidates may be left without their services come election time, Tony Miller, a 1994 candidate for Secretary of State and a key proponents of Proposition 208, refuses to accept the same assessment. "I don't know if [candidates] will have to go

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without [or] if you will have fewer candidates retaining consultants — it's too early to tell," said Miller. He also refuses to characterize such an outcome as either good or bad — only that if candidates believe it's so important to have consultants run their campaigns, they will find a way to fit them into their budgets.

But campaign finance laws are not the only thing at work in the tectonic world of political consultants. Indeed, Proposition 208 has only accelerated a trend, many argue, of doing more issue advocacy and independent expenditure work, thanks to term limits and a growing desire by interest groups to be more of a player in campaigns — even though such activity maintains problems for consultants and changes in who runs for election.

Because of term limits, according to Quinn, interest groups have become the stable force legislative leaders once were when it came to elections. Groups like the California Teachers Association — which favors Democrats — or the California Manufacturers Association — which favors Republicans — are always going to be around no matter what, while the speakership of the Assembly — once dominated by the likes of Assemblyman Willie Brown's (D-San Francisco) 15-year reign — changes hands on a regular basis. Although the current term-limit law, Proposition 140, is still hung up in legal limbo, Quinn argues another law would likely be approved even if the current incarnation is overturned.

Which makes interest groups the stable force consultants can count on for business. It's also a force that's beginning to flex its muscle more and more — no matter what happens with Proposition 208. "Some of these [interest] groups like having more control over how their money is spent," said McNally, who doesn't believe that consultants will go back to doing as much candidate work if 208 is overturned.

For some, like McNally and Townsend, working for interest groups has even meant working together, despite their partisan affiliations with Democrats and Republicans. In fact, it's their connections with lawmakers on each side of the aisle which is the impetus for joint projects between McNally Temple Associates and Townsend Raimundo Besler & Usher.

"We believe that if you're going to get anything done in the Legislature, it has to be bipartisan," said Townsend. "It's nice for the client because they don't have a problem over in the Legislature. We have a good relationship with Democrats and they [McNally Temple] have a good relationship with Republicans."

So far, the two firms have worked on everything from a seismic retrofit bond — Proposition 192 — to Californians for Fair Insurance Rates and the Coalition for Fair Liability Laws.

"I think issue advocacy is going to be here for a long time to come," said Townsend. "[Interests] are now seeing a far greater benefit to issue advocacy — especially if term limits are sustained — to get their issue out."

And there to help get the message out, of course, is the consultant, since, as Democratic consultant Steve Hopcraft said, "most consultants follow the money." Some have wondered, in fact, whether doing more interest work will

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Tony Quinn

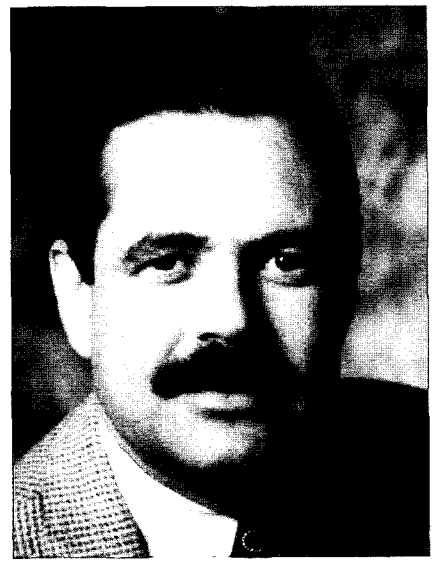
lead to a financial windfall for the consultant class.

"Since there's no limit on what can be spent [by an independent expenditure committee]," said Democratic consultant Harvey Englander, "there's no limit on what can be charged [by consultants]." Quinn agreed, saying "in the near future at least, most political consultants will do well financially under these new [campaign finance] rules."

Kaufman, however, downplayed such talk. "I had no problem making a good living being able to operate primarily candidate campaigns," Kaufman said, "so I'm not one who looks at this as a financial boon."

Again, the question of stability comes into play, Giarrizzo explained, since interest groups provide for consultants a "stability of income" which is often lacking with candidate campaign work. "Campaigns leave you high and dry," he said, "[and] we've all lost campaigns and been left with debts."

Ray McNally



The other thing consultants can be left with, in working with candidates, is a lot of grief and headaches — such as that which comes from a nerve-racked candidate or the nerve-racked candidate's wife or husband. As Hopcraft puts it, "Groups don't have a spouse."

"With candidates, it's their life, their name, their family, their image at stake," said Townsend, who added that "the emotion [of candidates] can account for 55 extra phone calls a day."

With interest groups, consultants say, the work usually is done through a board of directors, which doesn't have the ego invested in a campaign, as candidates do, nor does it require the "hand-holding" which all politicians require at one time or another. "Issue campaigns — while they do have their ups and downs — are pretty predictable," said Kaufman.

There is a downside, however, to interest groups and their growing participation in elections. Under current law, independent expenditure committees cannot coordinate or discuss any of their activities with candidates, making them something of a wild card in

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elections.

"If I'm running a campaign for someone ... and I know that somewhere in the hemisphere around me someone is doing things [for the campaign], that's not [necessarily] all that helpful," said Kaufman. The reason why, she concludes, is that the independent expenditure committee — even if it's trying to help — can make decisions that will adversely affect the campaign.

Just ask McNally.

Last election, McNally ran Republican Patrick Shannon's campaign for the 11th Senate District — a race that Assemblyman Byron Sher (D-Palo Alto) won. At one point in the campaign, a mailer — produced by an independent expenditure committee — appeared in district mailboxes that attacked Sher — a longtime environmental advocate — by falsely claiming that he was storing toxic waste on some property he owned. The results proved disastrous for Shannon, who, according to McNally, dropped eight points in the polls almost overnight and wound up getting lambasted in the press for a mailer his campaign didn't even produce.

A similar thing happened to Giarrizzo in 1990, when he ran Assemblyman Sal Cannella's (D-Ceres) special election campaign. According to Giarrizzo, the CTA distributed a mailer in the district which lauded a ban on assault weapons and praised Cannella's support for it. Unfortunately, the message didn't play well in the Central Valley district, prompting a slew of angry letters from gun owners and the sudden involvement of the National Rifle Association in the campaign.

"When [the public] sees commercials, they don't connect up whose disclaimer is on them," Kaufman points out. "[The candidate] will be blamed for them whether they have anything to do with them or not."

Another concern revolving around the increased use of independent expenditure committees is the possibility that legislative campaigns will become dominated by special interests, especially if 208 remains in effect. Some consultants argue that if candidates can't raise enough money, they won't be able to hire consultants and get their message out to voters, leaving it to the interest groups to define the campaign.

"We've created a new welfare class of legislators [because of 208]," said McNally. "It's going to be very frustrating for a lot of them because they aren't going to be able to raise the funds to adequately communicate with voters. And that means they're going to rely more and more on independent expenditure campaigns over which they have no control."

Townsend echoes the same concerns. "The issues you're going to hear about in a campaign are the ones interest groups want you to hear — prison guards, CTA, trial lawyers," said Townsend. "Candidates will have virtually no way to get out the messages they talk about. I think that's bad."

Some, such as Englander and Kaufman, don't believe candidates will be rendered irrelevant, despite the limitations 208 imposes on them. "I don't think any candidate with experience will let that happen," said Englander, who, along with Kaufman, said both incumbent and non-incumbent candidates will be more resourceful and

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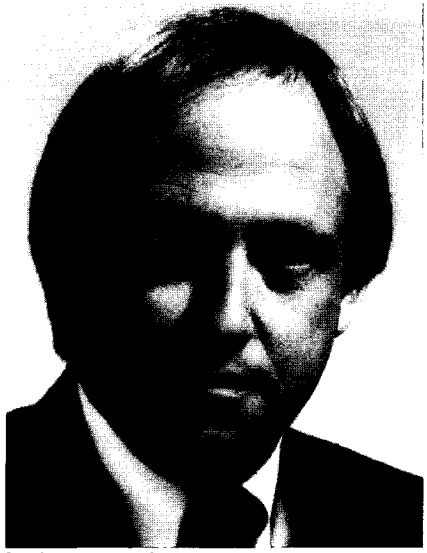


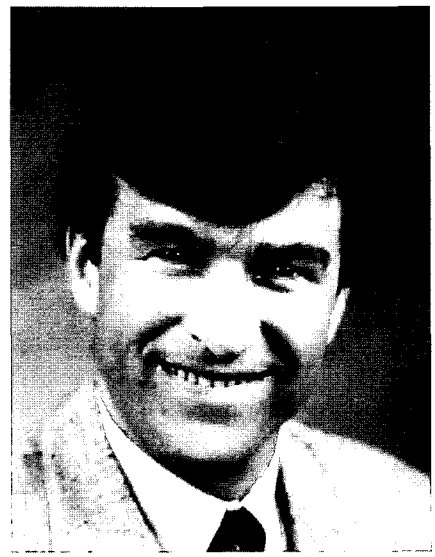
David Townsend

creative in finding ways to get their message out, such as through grassroots campaigning.

Using the Internet may slso be a way to communicate with voters, said Proposition 208's Miller, if candidates are unable to send as many mailers as they're accustomed. Miller also isn't willing to accept the criticism levied by consultants that 208 will result in interest groups dominating elections. "[Groups] have already dominated campaigns through direct contributions," said Miller, who added that "independent expediture commitees will, for the first time, have full disclosure because of 208."

Then again, some candidates may not worry about the peripheral work of independent expenditure committees if they themselves are products of the very same groups. This occurrence, some consultants insist, is a real possibility in future elections — interest groups recruiting candidates from within their ranks.

Stephen Hopcraft

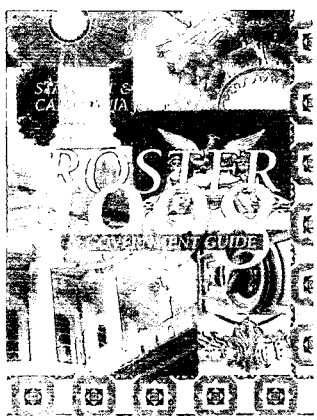


"The candidate will be pushed to the forefront by the interest," said Quinn, in looking down the road. "Trial lawyers will go out and find trial lawyers to run ... the same with business groups, doctors." Englander said he's seen it happen already at the local level, when labor groups went out and recruited candidates for the Los Angeles Charter Commission races earlier this year.

All in all, however, despite the changes in clientele and the problems independent expenditure committees can pose for consultants, things really aren't so bad off for the McNallys, Kaufmans or Townsends of the world. At least there are fewer headaches.

"From our point of view, it's almost the best of both possible worlds," said Townsend. "We have fewer clients, we know they [interests] have the money, we get to design all the mail and stuff like that, and we're prohibited by law [when working for an independent expenditure committee] from talking to the crazy candidates."

THE 1998 ROSTERS



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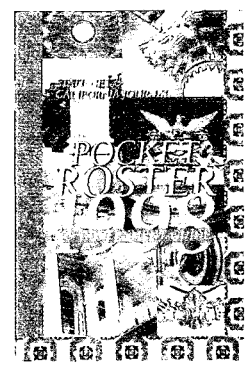

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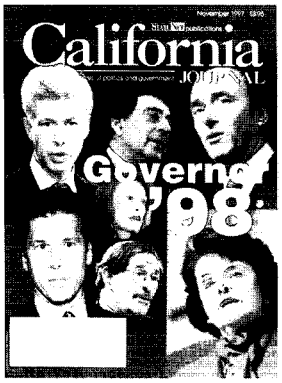

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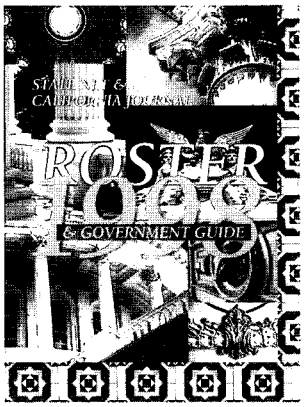

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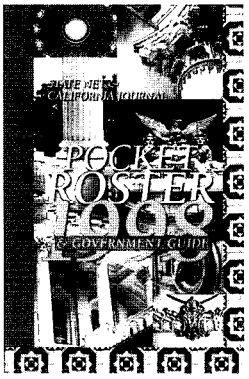

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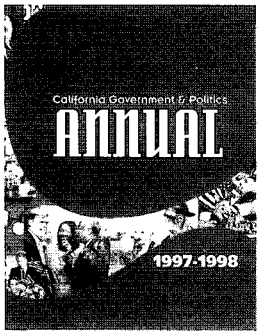

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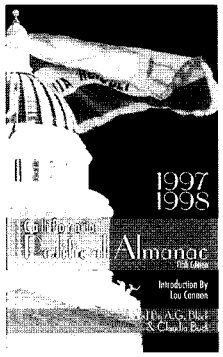

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Washington Notes

perspective

by Marc Sandalow

Congress in '98

Term limits may be popular in California, but not among the state's congressional delegation.

Of the 52 California members elected to the House in 1996, 51 appear to be lining up for re-election. The only one certain not to seek another term is Walter Capps, who died in October. Even if a handful of incumbents stumble or if rumors about some members come true, it will be a familiar group representing California for the rest of the millennium.

In 1998, Republicans are viewing the Golden State as a golden opportunity, since most of the incumbents facing tough contests are Democrats. But their dreams for next year pale by comparison to the possibilities for 2002, the first elections after the next census. Even if California gains no new congressional districts — and there are some who believe it will be allocated as many as four new seats — the potential for a change in the current balance of 28 Democrats and 23 Republicans is enormous. Through creative districting and outright gerrymandering, the party in control of Sacramento could easily influence a half dozen seats. That's a 12-seat swing from one party to the other, which is larger than the margin by which Republicans and Newt Gingrich now hold the House.

That simple math makes it easy to comprehend why Washington will no doubt become obsessed with California's governor's race. For now the focus is on cultivating a strong crop of congressional candidates, but there is a growing consensus that Senator Dianne Feinstein, should she decide to run, would be a big help to Democrats.

But even Feinstein's name is on the ballot, the early numbers do not look good for Democrats.

The GOP hopes to pick up at least a couple of California seats and is dreaming of as many as a half dozen. Democrats have hopes of knocking off a couple of GOP incumbents but acknowledge they will be lucky if they maintain the status quo. A look at the most contested races in a subjective ranking of their tightness:

California 1. This district, which stretches from Napa to the Oregon border, has changed hands three of the past four elections. Republican Frank Riggs, who has doggedly defended the rights of loggers who populate the region, has recently drawn criticism for his defense of the police's use of pepper spray in the eyes of demonstrators who stormed his Eureka office in October. Democrats are almost giddy about Mike Thompson, the chairman of the state Senate's Budget Committee. Thompson is considered a conservative Democrat and a friend of the National Rifle Association. "He has more dead animals in his office than a busy roadside," said a colleague. Democrats were overjoyed when Michela Alioto opted out of the race in favor a run for secretary of state, calling Riggs the "most vulnerable incumbent in America."

California 46. Try explaining to someone outside California how a Democrat can hold onto an Orange County seat. Try explaining to someone outside California the existence of Robert K. Dornan. It is anyone's guess what will happen between now and next November, but the cause of Loretta Sanchez — who won her seat by 984 controversial votes — has become a crusade for Democrats across the country. Dornan has vowed a rematch, but Anaheim City Councilman Bob Zemel, attorney Lisa Hughes, and Superior Court Judge James Gray have all expressed an interest in the GOP primary. Democrats are rooting for Dornan.

California 42. Democrat George Brown has served in Congress since 1963, and his elections get closer each time. Representing the Inland Empire, the 77-year-old Brown hung on by just 966 votes in 1996, and may well face the same challenger, Superior Court Judge Linda Wilde.

California 22. This perennially close fight in Santa Barbara was considered up in the air even before Capps collapsed from a heart attack in Washington's Dulles Airport. A special primary election is expected in January and an election runoff in March. Capps' wife, Lois, or state Senator Jack O'Connell is expected to be the Democrats' choice. Republicans are lining up behind Assemblymen Brooks Firestone and Tom Bordonaro, both of whom have entered the race. Other candidates include former Santa Barbara County Supervisor Mike Stoker, who now heads the state Agricultural Labor Relations Board, and Rene Bravo, the former chair of the San Luis Obispo Republican Party.

California 24. Brad Sherman is the first-term Democrat from this San Fernando Valley district, the former chairman of the State Board of Equalization. Republicans are hot on a political novice, Randy Hoffman, the president of Magellan Systems, a high tech company which has earned him millions.

California 49. The piece of coastal San Diego is represented by Republican Brian Bilbray, who along with Representative Dana Rorhabacher comprise the House's all-star surfing team. Democrats are pushing Chris Kehoe, an openly gay city councilwoman who also serves on the California Coastal Commission.

California 10. Incumbent Ellen Tauscher, a Democrat, represents the Bay Area's most Republican district, after defeating familiar Sacramento figure Bill Baker. As Baker ponders a rematch, Tauscher has solidified her position in the political center as an active member of the centrist Blue Dog Democrats. Other potential challengers include San Francisco '49ers tight end Brent Jones, though for now Jones is more focused on catching passes than politics.

California 3. Sacramento's Fazio is among the most powerful Democrats in Washington, and as a representative of a district split between Democrats and Republicans, he has always been a target. His most likely foe is Assemblywoman Barbara Alby. Fazio has lots of friends, and lots of money should flow into the race.

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